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LEGISLATIVE HISTORY

Public Law 758
S. 2517

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INDEX AND SUMMARY OR PUBLIC LAW 758

Jan.	5, 1955	Del. Bartlett introduced H. R. 611 which was referred to the House Committee on Agriculture. Print of bill as introduced.
July	13, 1955	Sen. Jackson introduced S. 2517 which was referred to the Senate Committee on Interior and Insular Affairs. Print of bill as introduced.
Mar.	26, 1956	Senate subcommittee ordered S. 2517 reported.
Mar.	27, 1956	Senate committee ordered S. 2517 reported without amendment.
April	18, 1956	Senate committee reported S. 2517 without amendment. Senate Report No. 1778. Print of bill and report.
April	19, 1956	Senate passed S. 2517 without amendment.
April	23, 1956	S. 2517 was referred to the House Committee on Agriculture. Print of bill as referred.
June	21, 1956	House committee ordered S. 2517 reported.
July	2, 1956	House committee reported S. 2517 without amendment. House Report No. 2568. Print of bill and report.
July	16, 1956	House passed S. 2517 without amendment.
July	24, 1956	Approved; Public Law 758, 84th Congress.

Hearings: H. R. 8898, etc. and S. 2517

DIGEST OF PUBLIC LAW 758

TONGASS FOREST RECEIPTS. Makes available to Alaska 25% of receipts from sale of timber in the Tongass National Forest hereafter received or heretofore received and held in special deposit account. Makes available 10% of such receipts to the Department for road and trail work in the national forests in Alaska. Retains 65% of the receipts in the special deposit account until possessory rights of Alaska natives to land and timber are determined. Provides that Alaska shall pay to the U. S. 25% of moneys required to satisfy possessory claims up to a maximum of the total amount received by the Territory from the U. S. as its share of the receipts. Provides that such payments by the Territory be effected to the extent possible by deductions from payment due the Territory under the 25% receipts law.

H. R. 611

IN THE HOUSE OF REPRESENTATIVES

January 1, 1906

For printing by the Government Printing Office, Washington, D. C.

A BILL

To provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

1. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

2. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

3. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

4. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

5. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

6. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

7. That the Secretary of the Interior be and he is authorized to do so, to provide for the establishment of a national system of public lands, and for the management of the same, and for other purposes.

H. R. 611

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1955

Mr. BARTLETT introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection 3 (a) of the Act approved August 8,
4 1947 (61 Stat. 920), is hereby amended by striking out
5 the period at the end of said subsection and inserting in
6 lieu thereof a colon and adding the following proviso:
7 “*Provided, That all receipts heretofore and hereafter re-*
8 *ceived from the sale of such timber shall be subject to*
9 *the provisions of the Act of May 23, 1908 (35 Stat. 260),*
10 *as amended, and the Act of March 4, 1913 (37 Stat.*
11 *843), as amended.”*

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

By Mr. BARTLETT

JANUARY 5, 1955

Referred to the Committee on Agriculture

84TH CONGRESS
1ST SESSION

S. 2517

IN THE SENATE OF THE UNITED STATES

JULY 13, 1955

Mr. JACKSON (by request) introduced the following bill; which was read twice
and referred to the Committee on Interior and Insular Affairs

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947,
to authorize the sale of timber within the Tongass National
Forest, Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 3 of the Act approved Aug-
4 ust 8, 1947 (61 Stat. 920), is hereby amended by striking
5 out the period at the end of said subsection and inserting
6 in lieu thereof a colon and the following: "*Provided, That*
7 all receipts heretofore and hereafter received from the sale
8 of such timber shall be subject to the provisions of the Act
9 of May 23, 1908 (35 Stat. 260), as amended, and the Act
10 of March 4, 1913 (37 Stat. 843), as amended. If any

1 claims of possessory rights to lands or timber within the
2 exterior boundaries of the Tongass National Forest are deter-
3 mined to be valid, the Territory of Alaska shall pay to the
4 United States 25 per centum of the moneys required to
5 satisfy such claims: *Provided*, That the Territory shall not
6 be required to pay to the United States any amount in excess
7 of the total amount received by the Territory from the United
8 States pursuant to the Act of March 23, 1908: *Provided fur-*
9 *ther*, That such payments by the Territory to the United
10 States shall, to the extent possible, be effected by deductions
11 from the amounts otherwise payable to the Territory pursuant
12 to such Act.”.

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

By Mr. JACKSON

JULY 13, 1955

Read twice and referred to the Committee on Interior
and Insular Affairs

A BILL

to amend the law relating to the
regulation of the practice of
the medical profession in the
State of New York

enacted at the session of the
Legislature at Albany, in the
year of our Lord one thousand
nine hundred and twenty

and of our Independence the
seventy-eighth

and of the Legislature of the
State of New York the
seventy-eighth

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

March 27, 1956
March 26, 1956
84th-2nd, No. 53

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	Personnel.....4,32	Wheat.....15,24

House sent farm bill to conference. House subcommittee ordered reported bill amending date of announcement of tobacco marketing quotas. House committee ordered reported bill authorizing U. S. membership in OTC.

HOUSE

1. FARM PROGRAM. Reps. Colley, Poage, Gathings, Hope, and Andresen were appointed conferees on H. R. 12, the farm bill. p. 4989 (Senate conferees were appointed on Mar. 19.) Reps. Arends, Miller, Neb., and Gross questioned Rep. Cooley regarding the time when a report might be forthcoming, but Rep. Cooley urged that temperate consideration be taken of the measure and said it would require considerable thought. p. 4990

Rep. Deane urged that, in consideration of H. R. 12, there should be some provision for the adjustment of acreage allotments and marketing quotas as affected by abnormal weather conditions. p. 4984

Rep. Berry recommended that Congress forego its scheduled Easter recess until farm legislation is passed. p. 4985

Rep. Miller said conferees should complete action on the farm bill as soon as possible. p. 4986

Rep. Hoffman criticized Rep. Cooley for stating that Secretary Benson would not be called before the committee, and alleged a rather close tie existed between Rep. Cooley and Mr. W. Reuther. p. 4986 Rep. Holland defended Mr. Reuther against the alleged attacks of Rep. Hoffman. p. 4987

The "Daily Digest" states that the Agriculture Committee met in executive session on H. R. 12 and adopted motions expressing its sense that the committee is opposed to a compulsory soil-bank plan and that the proposed limitation on price support benefits should be \$25,000. p. D290

2. LIVESTOCK AND MEATS. Rep. Jensen inserted the text of several spot announcements used on Station KMA, Shenandoah, Ia., promoting the increased consumption of meat and dairy products. p. 4987
3. TOBACCO. The Tobacco Subcommittee of the Agriculture Committee ordered favorably reported to the full committee H. R. 9474, to provide for the amendment of the time for announcement of tobacco marketing quotas by the Secretary, by providing that the announcement for flue-cured tobacco should be December 1 of any marketing year and February 1 for other kinds of tobacco. p. D290
4. PERSONNEL. Both Houses received from the Civil Service Commission a proposed bill "to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, to provide nonoccupational group major medical expense insurance for Federal employees and their dependents...."; to the Post Office and Civil Service Committees. pp. 4894, 5009
5. INFORMATION. Passed with amendments H. R. 8957, to extend the time within which the commission may report on the plans for a D. C. Civic Auditorium. p. 4988, 4991
6. MONOPOLIES. Rep. Patman inserted a statement of the National Council of Farmer Cooperatives supporting H. R. 11, to prohibit certain price discriminations in trade. p. 5006
7. FOREIGN TRADE. The Ways and Means Committee ordered reported with amendments H. R. 555C, to authorize U. S. membership in the Organization for Trade Cooperation. p. D291

SENATE

8. FOREIGN AFFAIRS. Passed as reported S. 3116, to authorize the President to provide for promotion and strengthening of international relations through cultural and athletic exchanges and participation in international fairs and festivals. p. 4911
9. PUBLIC LANDS. Passed as reported S. 2246, to authorize the sale of certain lands to the city of Wall, S. Dak. p. 4917
Passed without amendment H. J. Res. 112, to release reversionary right to improvement on a 3-acre tract in Orangeburg County, S. Car. This bill is now ready for the President. p. 4925
10. SEEDS. Passed as reported S. 1688, to prescribe civil penalties for violations of the Federal Seed Act. p. 4917
11. FORESTRY. Passed without amendment H. R. 374, to authorize the adjustment and clarification of ownership to certain lands within the Stanislaus National Forest, Calif. This bill is now ready for the President. pp. 4918, 4923
Passed without amendment H. R. 1855, to authorize the Secretary of Agriculture to advance funds to cooperators when cooperative forest research work will be stimulated or facilitated by so doing. This bill is now ready for the President. pp. 4923, 4924 (The other provisions mentioned in Digests 50 and 51 were not in the bill as reported and passed in the Senate.)
The Interior and Insular Affairs Subcommittee on Territories ordered reported to the full committee S. 2517, to provide for releasing from escrow certain receipts from the sale of timber within the Tongass National Forest, Alaska. p. D288

Mar. 27, 1956

14. FORESTRY. The Interior and Insular Affairs Committee ^{ordered} reported without amendment S. 2517, to provide for releasing from escrow certain receipts from the sale of timber within the Tongass National Forest, Alaska. p. B295
15. MILK. Sen. Wiley inserted two releases of the Milk Industry Foundation urging more advertising by milk dealers to sell the milk surplus, and praising gains in efficiency by the dairy farmers. p. 5018
16. ORGANIZATION, EXECUTIVE. Received from the Government Operations Committee its report, "Organization of Federal Executive Departments and Agencies" (S. Rept. 1715). p. 5014
17. FLOOD CONTROL. Sen. Carlson inserted a resolution of Lawrence city officials urging ~~early action~~ on the part of Congress for the completion of authorized projects on the Kansas River. p. 5014
18. PROPERTY. Sen. Hayden submitted for printing the committee print, "Inventory Report on Certain Real Property Owned by United States" (S. Doc. 109), and inserted correspondence with GSA relating to the report. p. 5034

ITEMS IN APPENDIX

19. SOCIAL SECURITY. Sen. Wiley commended and inserted a magazine article on the subject of needed changes in the old-age and survivors insurance statute affecting the Nation's farmers and stated that there is under consideration by the Milwaukee Cooperative Milk Producers and others, a private pension program to help provide added security in the later years for farmers. p. A2669
20. FARM PROGRAM. Sen. Langer inserted a newspaper article, "Clear Call For Direct Action--Minnesota Vote Shows Farmer Thinks In Terms Of Take-Home Pay." p. A2669
Rep. Knutson inserted an editorial, "The Farmer In The Dell?" and stated that "it gives a clear cut picture of what the farmers went through to earn their right to a livelihood." p. A2702
- FOREIGN AID. Extension of remarks of Rep. McVey stating that the "amount of aid extended to foreign countries...has reached staggering proportions," and inserting a newspaper article, "Giveaway Race." p. A2670
22. ELECTRIFICATION. Rep. Price inserted several addresses made by members of the discussion panel of the Illinois Electric Cooperatives expressing concern over certain recommendations of the Hoover Commission. pp. A2671, A2672, A2676, A2679, A2680, A2681, A2684, A2686
Rep. Taber inserted an "astounding report" prepared at his request by the Comptroller General as to certain commitments made by TVA. p. A2690
23. REFERENCE SERVICE. Extension of remarks of Rep. Williams, N. J., acknowledging the "remarkable aid" rendered by the Legislative Reference Service of the Library of Congress and inserting a list of services which this Service is in a position to render. p. A2675
Rep. Miller, Calif., inserted a newspaper editorial urging Congressional aid for rural libraries. p. A2694
24. FISHERIES. Sen. Fulbright inserted a newspaper article describing the large-scale fish production which has begun on Arkansas farms and stating that not only has the farming of fish been profitable through the sale of fish in

commercial channels, but the program is also contributing to Ark. agriculture by conserving surface water and by increasing the fertility of the soil in reservoir areas. p. A2678

25. POULTRY PRODUCTS. Rep. Knox inserted a newspaper article describing how one of his constituent families displayed their ability and determination to map a future for themselves in the production of high quality eggs for the consuming public. p. A2679
26. LIVESTOCK. Rep. Hiestand inserted an editorial opposing a farm bill featuring both 90 percent of parity price support and a soil bank which with "both factors, if put into effect, can be poison to the livestock grower." p. A2681
27. FOREIGN TRADE. Rep. Williams, N. J., inserted Edmundo Lassalle's statement before the House Ways and Means Committee in support of H. R. 5550, to authorize United States membership in Organization for Trade Cooperation. p. A2693
Rep. Lane inserted a letter he received from the Nat'l Ass'n of Wool Manufacturers, enclosing a copy of a petition to Arthur S. Flemming, Director, Office of Defense Mobilization, requesting an investigation into what the petitioners consider to be the threat to national security presented by wool textile exports. p. A2696
28. RESEARCH. Rep. Mathews inserted an address by Pres. J. Wayne Reitz, University of Fla., before the Nat'l Agricultural Chemical Ass'n, urging increases in the number of technically trained university graduates, and stating that "we must provide, through research, better strains of crops and animals; reduce the incidence of diseases; guarantee the adequacy of our water supply; and be alert to guide wise land utilization." p. A2700
29. WATER RESOURCES. Sen. Watkins expressed concern over Western water rights, stated the problem is a very serious one and inserted a newspaper article on this subject. p. A2706

BILLS INTRODUCED

30. CREDIT UNION. S. 3539, by Sen. Sparkman (for himself and Sen. Beall), to amend the Federal Credit Union Act so as specifically to authorize the organization of Federal central credit unions and to authorize Federal credit unions to invest in the shares of, and become members of, central credit unions organized under such act or other laws; to Banking and Currency Committee. Remarks of author, p. 5015.
S. 3540, by Sen. Sparkman (for himself and Sen. Beall), to amend the Federal Credit Union Act with reference to procedure as to making loans by Federal credit unions and to provide authorization for loan officers of Federal credit unions; to Banking and Currency Committee. Remarks of author, p. 5015.
31. PERSONNEL. H. R. 10219, by Rep. Herlong, and H. R. 10225, by Rep. Pelly, "to revise the Civil Service Retirement Act;" to Post Office and Civil Service Committee.
H. R. 10237, by Rep. Rhodes, Pa., to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to Post Office and Civil Service Committee. Remarks of author, p. 5092.
32. POSTAL RATES. H. R. 10223, by Rep. Miller, Calif., to readjust postal classification on certain educational materials; to Post Office and Civil Service Committee.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 19, 1956
For actions of April 18, 1956
84th-2nd, No. 63

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HIGHLIGHTS: House failed to override President's veto of farm bill. Sens. Humphrey and Johnston criticized and others defended President's veto of farm bill. Senate received from this Department proposed bill amending Watershed and Flood Prevention Act. Senate committee reported Johnston Civil Service retirement bill. Senate committee reported bill to release Tongass Forest receipts from escrow. Senate agreed to limit debate on bill to increase U. S. contributions to FAO. House committee ordered reported bill to improve and simplify government accounting methods. Several (continued on last page)

HOUSE

1. FARM PROGRAM. Rep. Cooley and others criticized the President's veto of H. R. 12, the farm bill, and Rep. Halleck defended the President's action. In the vote to override the veto, the question failed of the necessary two-thirds majority (202 for, 211 against). p. 5852
2. FOREIGN TRADE. Began debate on H. Res. 459, to authorize the Ways and Means Committee to make a full study of GATT and the Organization for Trade Cooperation. p. 5877
The Ways and Means Committee reported with amendments H. R. 5550, to provide for U. S. participation in GATT and OTC (H. Rept. 2007). p. 5889
3. PERSONNEL. Both Houses received from the Attorney General a proposed bill "to amend the act of August 26, 1950, relating to the suspension of employment of civilian personnel of the United States in the interest of national security"; to Post Office and Civil Service Committees. pp. 5771, 5889

4. FINANCES. Received from the Treasury Department the annual report on the state of finances of the Government (H. Doc. 243); to the Ways and Means Committee. p. 5889
5. LOANS. The Interior and Insular Affairs Committee reported with amendment H. R. 8385, to provide for the transfer from the Interior Department to the Agriculture Department of authority for the collection and settlement of certain Puerto Rican hurricane relief loan debts (H. Rept. 2009). p. 5889
6. FOOD. The Government Operations Committee issued a report on Food and Clothing Depot Utilization (H. Rept. 2013). p. 5889
7. ACCOUNTING. The Government Operations Committee ordered reported with amendment H. R. 9593, to simplify accounting and facilitate the payment of obligations. p. D358
8. HIGHWAYS. The Public Works Committee ordered reported H. R. 8836, to authorize appropriations for continuing the construction of highways (p. D359). The "Daily Digest" states that the committee "directed Rep. Fallon, chairman of the Subcommittee on Roads, to introduce a clean bill incorporating, as title I, the Federal Aid Highway Act of 1956 (H. R. 8836), and, as title II, the Federal Highway Revenue Act of 1956 (H. R. 9075)." p. D359

SENATE

9. FARM PROGRAM. Sens. Humphrey and Johnston criticized and others defended the President's veto of H. R. 12, the farm bill. pp. 5806, 5830
Sen. Payne inserted a newspaper editorial setting forth the merits of a soil bank program. p. 5789
10. APPROPRIATIONS. Majority Leader Johnson announced that H. R. 9390, the Interior Department appropriation bill, will be taken up on Mon., Apr. 23. p. 5770
11. WATERSHEDS; FLOOD CONTROL. Received from this Department proposed legislation amending the Watershed Development and Flood Prevention Act; to Agriculture and Forestry Committee. (For summary of provisions see Digest No. 62.) p. 5771
12. FORESTRY. The Interior and Insular Affairs Committee reported with amendment S. 2517, to release from escrow the receipts from the sale of timber in the Tongass National Forest (S. Rept. 1778). p. 5773
13. PERSONNEL. The Post Office and Civil Service Committee reported with amendment S. 2875, the Johnston bill to provide increased retirement benefits to retiring Federal employees (S. Rept. 1787). p. 5773
14. FAO. Agreed to limit debate on S. J. Res. 97, which increases U. S. Contributions to FAO, to 2 hours for any amendment, motion, or appeal beginning Thurs. p. 5830
15. FLOOD CONTROL. Passed without amendment S. 3272, to increase and make certain revisions in the general authorization for small flood-control projects. p. 5800

DISPOSITION OF REVENUES FROM TONGASS NATIONAL
FOREST, ALASKA

APRIL 18 (legislative day, APRIL 9), 1956.—Ordered to be printed

Mr. JACKSON, from the Committee on Interior and Insular Affairs,
submitted the following

R E P O R T

[To accompany S. 2517]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 2517) to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska, having considered the same, report favorably thereon without amendment, and unanimously recommend that the bill do pass.

The committee held a hearing on the bill, at which the elected Delegate to Congress from Alaska, Hon. E. L. Bartlett; the Governor of Alaska, Hon. Frank Heintzleman; and representatives of the Agriculture and Interior Departments appeared and urged enactment.

PURPOSE OF MEASURE

S. 2517 would authorize payment of 25 percent of the revenues from the Tongass National Forest in Alaska to the Territorial government of Alaska for gravely needed schools and roads in the Territory. The Department of Agriculture would receive 10 percent of the revenues for roads and trails in the national forest.

Such payments would be made under Federal laws of long standing that are applicable to all States and Alaska in which national forests have been established. Alaska would not receive any benefits that the States do not now enjoy. In fact, the Territorial schools are now being deprived of benefits they would now be enjoying were it not for the specific provision of the Tongass National Forest Act which requires that all revenues be held in escrow.

Some \$2¼ million have been accumulated in the Tongass National Forest fund since 1947. Under the bill, Alaska would receive 25 percent of this amount, as well as 25 percent of future revenues. The Department of Agriculture would receive 10 percent of the ac-

cumulated fund, and 10 percent of future revenues for development work in the forest.

Indian claims safeguarded

At the same time, the bill fully safeguards whatever rights there may be on the part of any Indian claimants to the Tongass Forest lands and revenues. Although last year the Supreme Court of the United States ruled, in the Tee-Hit-Ton case (*The Tee-Hit-Ton Indians v. The United States* (348 U. S. 272)), that no compensable Indian claims based on possessory rights exist in Alaska, S. 2517 does not deny, nor does it recognize, any Indian claims that may be validated in the future by court action.

The remaining 65 percent of the present fund, as well as 65 percent of future revenues, will continue to be available for payment of such claims, if subsequently allowed, with the Territory liable for 25 percent of the amount.

BACKGROUND OF LEGISLATION

The Tongass National Forest was created by withdrawals from the vast public domain in Alaska by Presidential proclamations between 1902 and 1909. It comprises some 16 million acres of land but only about 3.5 million acres are commercial timberland which occupy the lower elevations below 1,500 feet. These lands contain about 78 billion board-feet of virgin timber, largely of high-grade pulp material of hemlock and spruce. About 75 percent of the commercial timber lies within 2½ miles of tidewater.

Timber is the principal resource in the Tongass Forest, but until after the Second World War annual sales were relatively small, amounting to about 60 million board-feet. Pulp has become of major importance since 1948 and the annual cut has increased nearly fourfold so that today it is in excess of 200 million board-feet. Approximately three-fourths of present annual output is manufactured for dissolving pulp by the Ketchikan Pulp Co. This company, which has a 400-ton daily capacity, holds a 50-year sale for 8¼ billion board-feet of timber from the Tongass National Forest. It has invested upwards of \$50 million in this enterprise.

Further large developments for Tongass timber are in prospect as 3 other companies have 50-year contracts as the result of bidding in large volumes of timber for pulp, lumber, and veneer since June 1954. The combined timber offerings to these companies total 15¾ billion board-feet. The annual cut of national-forest timber will be about half a billion board-feet when these companies get into operation within the next several years.

This rapid increase in timber-sale activity on the Tongass National Forest has been brought about primarily as a result of two significant developments: (1) The rising demand for pulp in the United States, and (2) the enactment of the Tongass Timber Act of August 8, 1947 (61 Stat. 920), which authorized the Secretary of Agriculture to sell timber from the Tongass National Forest, notwithstanding any claim of native possessory rights to such timberlands.

The Tongass Timber Act

The Tongass Timber Act was enacted in order to remove doubts as to the authority of the Secretary of Agriculture to manage and sell the timber resources of the Tongass National Forest. These doubts had

been raised by the assertion of rights to the Tongass lands by various natives of Alaska. These asserted claims were often overlapping and were tending to block the orderly development of a pulp industry in Alaska dependent on the timber from the national forest.

That act states specifically that it neither denies nor recognizes the validity of Indian or other native claims to land or timber within the Tongass Forest. It has encouraged the development of a pulp industry in Alaska with its many benefits. The act directs that all receipts from the sale of timber or land from the national forest shall be maintained in a special account in the Treasury until the question of aboriginal and possessory rights to any of the Tongass timber or land is finally determined.

This withholding of national-forest receipts in a special account as required by the Tongass Timber Act prevents (1) the distribution of 25 percent of such receipts to the Territory for road and school expenditures, and (2) the expenditure of 10 percent of the receipts by the Secretary of Agriculture for national-forest roads and trails in Alaska. As stated, funds in this special account now amount to nearly \$2¼ million and are accumulating at a rate of about \$600,000 annually. When cutting begins under the terms of the three recent 50-year timber-sale contracts, receipts will increase substantially over present levels.

EXPLANATION OF THE PROVISIONS

S. 2517 would: (1) make available to Territory of Alaska 25 percent of receipts from the sale of timber from the Tongass National Forest hereafter received or heretofore received and now held in special deposit account; (2) make available 10 percent of such receipts to the Secretary of Agriculture for road and trail work in the national forests in Alaska; (3) retain 65 percent of receipts in the special deposit account until possessory rights of Alaska natives to land and timber are determined; (4) provide that the Territory pay to the United States 25 percent of moneys required to satisfy possessory claims up to a maximum of the total amount received by the Territory from the United States as its share of national-forest receipts under the 25 Percent Receipts Act of March 23, 1908; and (5) provide that such payments by the Territory be effected to extent possible by deductions from payments due the Territory under the 25 Percent Receipts Act. ✓

The required withholding of national-forest receipts in escrow imposes a financial hardship on the Territorial agencies financing local road and school activities and on the accomplishment of needed national-forest road and trail work. Enactment of S. 2517 would correct this situation by making available a portion of the accumulated and future receipts for development of the Territory. The committee reiterates its conviction that enactment of S. 2517 would neither affirm nor deny any possessory rights that Alaska natives may be found to have to the land or timber within the Tongass National Forest.

The provisions of the bill would be equitable to the Territory, to the United States, and to a successful claimant of possessory rights, if any are subsequently determined to be valid.

REPORTS OF EXECUTIVE AGENCIES

The report of the Department of Agriculture, which administers the Tongass National Forest, strongly recommends enactment of S. 2517

without amendment. The Bureau of the Budget has advised that there is no objection to the Department's favorable recommendation. The Department of the Interior, which has general administrative responsibility for Federal governmental functions in Alaska, favors enactment of the legislation. Subsequent to the hearing and favorable committee action on the bill as introduced, the Department suggested an amendment designed to permit immediate distribution of the entire fund with the Federal Government responsible for payment of any Alaskan native claims that may be allowed. The committee did not have opportunity to consider the proposed amendment.

The reports of the agencies are as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 30, 1956.

HON. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs,
Washington 25, D. C.

MY DEAR SENATOR MURRAY: Your committee has requested a report on S. 2517, a bill to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

We would have no objection to S. 2517. However, we recommend its amendment in accordance with the following comments.

The so-called Tongass Timber Sale Act of August 8, 1947 (61 Stat. 920), provided in section 3 (a) thereof that all receipts from the sale of timber or from the sale of lands under section 2 thereof shall be maintained in a special account in the Treasury until the rights to the land and timber in question are finally determined. The purpose of such provision was to establish a special account to safeguard possible payment of Indian or other native claims relating to the properties in the event that such claims should thereafter be determined to be valid. We understand that there is now more than \$2,200,000 in the account.

Enactment of S. 2517 would reinstate, for the Tongass National Forest, the usual procedure for remitting a portion of national-forest receipts to the States and Territories. We believe this is very desirable. Unless such legislation is enacted, the special account will grow rapidly as national-forest timber is now being harvested at an accelerated rate to meet the needs of the expanding timber-using industries of Alaska. Retention of the fund imposes a hardship on the Territory with respect to the financing of local road and school activities, as well as to the accomplishment of national-forest road and trail work. It prevents carrying out of established procedures governing national-forest receipts as follows: (1) the distribution of 25 percent of national-forest receipts for roads and schools by local governmental agencies; and (2) the expenditure of an additional 10 percent of such receipts by the United States Forest Service for Alaska national-forest road and trail work.

The recent decision of the Supreme Court, dated February 7, 1955, in the case of the *Tee-Hit-Ton Indians v. United States* (348 U. S. 272), has resolved any further need for the provision contained in section 3 (a) of the Tongass National Forest Act of August 8, 1947 (61 Stat.

921). It is clear, we believe, from the cited case that no compensable rights, based upon so-called Indian possessory or aboriginal interests exist in the land and timber in question, nor has the Congress granted permanent rights to the Indians therein, that would operate as a bar to the enactment of this proposed legislation. In these circumstances, the national-forest receipts should be accounted for and distributed in accordance with the general laws applicable to national-forest revenues.

We suggest that S. 2517 be amended primarily for purposes of clarification along the lines which we have discussed and generally in accordance with a similar provision contained in the Alaska statehood bill, S. 49. You will note that, in addition to providing for disposition of the fund that has been accumulating from Tongass National Forest receipts and the distribution of such receipts hereafter in accordance with the established law governing such receipts, our suggested amendment will permit the appropriation of such funds as may be necessary to pay any judgments, if any, that may result from any adverse native claims to timber or lands described in the Tongass National Forest Sales Act of August 8, 1947. We believe that such a provision is equitable in the event that any adverse native claims may be upheld in the future pursuant to the 1947 act. Furthermore the existence of aboriginal claims in any States does not preclude distribution of forest receipts to that State and to the Treasury under general law. It would be discriminatory to continue to withhold Alaska's share of such receipts or to require Alaska to assume responsibility for any portion of any such claim sustained in the future. We recommend, accordingly, that S. 2517 be amended as follows:

Strike out the language of the bill following the word "hereby" in line 4, page 1, and insert in lieu thereof the following: "repealed. Amounts in the special account established under such section on the date of the approval of this Act shall not thereafter be subject to the provision of that subsection so repealed, but shall be disposed of in accordance with the provisions of law with respect to disposition of receipts from national forests. Amounts hereafter received from the sale of timber or land under section 2 of such joint resolution of August 8, 1947, shall be deposited in the Treasury and shall also be disposed of in accordance with the provisions of law with respect to disposition of receipts from the national forest. In lieu of the special account heretofore established pursuant to section 3 (a) of the said joint resolution of August 8, 1947, there are hereby authorized to be appropriated such sums as may be necessary to pay such judgments, if any, as may result from adverse native claims to timber or lands described in the said joint resolution of August 8, 1947."

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee.

Sincerely yours,

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., March 23, 1956.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

DEAR SENATOR MURRAY: This is in reply to your letter of March 16 requesting a report on S. 2517, a bill to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

We strongly recommend enactment of S. 2517.

This bill would: (1) make available to Territory of Alaska 25 percent of receipts from the sale of timber from the Tongass National Forest hereafter received or heretofore received and now held in special deposit account; (2) make available 10 percent of such receipts to the Department for road and trail work in the national forests in Alaska; (3) retain 65 percent of receipts in the special deposit account until possessory rights of Alaska natives to land and timber are determined; (4) provide that the Territory pay to the United States 25 percent of moneys required to satisfy possessory claims up to a maximum of the total amount received by the Territory from the United States as its share of national forest receipts under the 25 Percent Receipts Act of March 23, 1908; and (5) provide that such payments by the Territory be effected to extent possible by deductions from payments due the Territory under the 25 Percent Receipts Act.

The Tongass Timber Act, approved August 8, 1947 (61 Stat. 920), provides among other things that all receipts from the sale of land and timber from the Tongass National Forest shall be placed in a special deposit account to safeguard possible payment of Indian or other native claims to the property values involved. The Supreme Court on February 7, 1955, in the case entitled *The Tee-Hit-Ton Indians v. The United States* (348 U. S. 272), ruled that no compensable aboriginal claims exist in Alaska. Funds in the special deposit account by February 29, 1956, had accumulated to nearly \$2¼ million, and will grow rapidly as additional large timber sales are made in Alaska.

The withholding of national-forest receipts in this escrow fund prevents: (1) the distribution of 25 percent of the accumulated and future national forest receipts for road and school expenditures by local governmental agencies, and (2) the expenditure of an additional 10 percent of these deposited funds by the Department on Alaska national-forest road and trail work. This situation imposes a financial hardship on the Territorial agencies financing local road and school activities and on the accomplishment of needed national forest road and trail work. S. 2517 would release these funds and at the same time provide adequately for payment to Alaska natives of any possessory rights later determined to be valid.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 6, 1956.

HON. JAMES E. MURRAY,

*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

MY DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Bureau on S. 2517 to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

The general objective of this measure is to release certain receipts accruing from timber sales in the Tongass National Forest. Pursuant to the act of August 8, 1947, such receipts were held in an escrow account awaiting settlement of pending Indian claims. The decision of the United States Supreme Court of February 7, 1955, resolved that issue.

Both the Departments of Agriculture and the Interior endorse the legislation. In a report which the Department of the Interior is presenting to your committee an amendment is suggested which, for the reasons stated in the report, appears to be preferable to the language contained in the bill.

This Bureau recommends enactment of the bill if amended along the lines suggested by the Department of the Interior.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

CHANGES IN EXISTING LAW

In compliance with clause 4 of rule XXIX of the Rules of the Senate, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter in italics, existing law in which no change is proposed is shown in roman):

SECTION 3 (A) OF THE ACT OF AUGUST 8, 1947 (61 STAT. 902, 921)

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined[.]: *Provided, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended, and the Act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid, the Territory of Alaska shall pay to the United States 25 per centum of the moneys required to satisfy such claims: Provided, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the Act of March 23, 1908: Provided further, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such Act.*

Calendar No. 1797

84TH CONGRESS
2D SESSION

S. 2517

[Report No. 1778]

IN THE SENATE OF THE UNITED STATES

JULY 13, 1955

Mr. JACKSON (by request) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

APRIL 18 (legislative day, APRIL 9), 1956

Reported by Mr. JACKSON, without amendment

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 3 of the Act approved Au-
4 gust 8, 1947 (61 Stat. 920), is hereby amended by striking
5 out the period at the end of said subsection and inserting
6 in lieu thereof a colon and the following: "*Provided, That*
7 all receipts heretofore and hereafter received from the sale
8 of such timber shall be subject to the provisions of the Act
9 of May 23, 1908 (35 Stat. 260), as amended, and the Act
10 of March 4, 1913 (37 Stat. 843), as amended. If any

1 claims of possessory rights to lands or timber within the
2 exterior boundaries of the Tongass National Forest are deter-
3 mined to be valid, the Territory of Alaska shall pay to the
4 United States 25 per centum of the moneys required to
5 satisfy such claims: *Provided*, That the Territory shall not
6 be required to pay to the United States any amount in excess
7 of the total amount received by the Territory from the United
8 States pursuant to the Act of March 23, 1908: *Provided fur-*
9 *ther*, That such payments by the Territory to the United
10 States shall, to the extent possible, be effected by deductions
11 from the amounts otherwise payable to the Territory pursuant
12 to such Act.”.

A BILL

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

By Mr. JACKSON

JULY 13, 1955

Read twice and referred to the Committee on Interior and Insular Affairs

APRIL 18 (legislative day, APRIL 9), 1956

Reported without amendment

April 19, 1956

and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control; and (5) reestablishment, at as rapid a rate as the Secretary of Agriculture determines to be practicable and in the general public interest, of the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms that prevailed during the five-year period August 1909-July 1914, inclusive, as determined from statistics available in the United States Department of Agriculture, and the maintenance of such ratio. The powers conferred under sections 7 to 14, inclusive, of this Act shall be used to assist voluntary action calculated to effectuate the purposes specified in this section. Such powers shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this section due regard shall be given to the maintenance of a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

"The Committee doubts that the soil bank plan will do all that the President claims for it, so far as reducing surpluses is concerned. In its opinion, present surpluses are the result of the failure of the Department of Agriculture to sell commodities in world trade for dollars at competitive bid prices, as authorized and contemplated by the present charter of the Commodity Credit Corporation. To support this view, the Committee need only point to the fact that in recent months practically all commodities which have been offered for sale competitively in world trade through normal channels have been sold for dollars.

"Neither does the Committee believe that such program can ever be a substitute for price or income which farmers must have if they are to share fully in national prosperity. The Committee does believe that such a program, if properly administered, can be of some help to American farmers under present conditions.

"Notwithstanding the failure of the President and the Secretary of Agriculture to use such existing authority, and despite the fact that they have not seen fit to request the necessary funds, the Committee feels that the appropriation proposed in the accompanying bill should be given immediate consideration by Congress. Since the President has vetoed H. R. 12, which would have restored the historical relationship between the farmer's price and the cost of what he must buy, and would have fixed price supports at 90 percent of the farmer's comparative purchasing power during the period 1909-1914, some alternative action must be taken by Congress. The action proposed herein appears to be the most feasible way of providing some immediate relief for the farm problem."

For minority views subsequently received, see pages 9, 10, 11, and 12.

2. FARM PROGRAM. Rep. Springer spoke in favor of the soil bank plan as a method of reducing agricultural surpluses and increasing the farmers' income. p. 5965
Rep. Hoeven suggested prompt consideration of soil bank proposals, including his bill, H. R. 10603, which would provide for advance payments to participating farmers. p. 5967
Rep. Knox spoke in support of the President's veto of the farm bill and suggested, that while the soil-bank plan was commendable, other features of H. R. 12, the farm bill, would have worked to the detriment of the small farmer and the livestock and dairy industry. p. 5993
3. APPROPRIATIONS. Received from the President proposed 1957 Budget amendments totaling \$21,415,000 for the Agricultural Research Service, as follows: \$18,915,000 for the construction of animal disease laboratory facilities at Beltsville, Md.; and \$2,500,000 to provide additional funds for gypsy moth control (H. Doc. 383); to the Appropriations Committee. p. 5997
4. INSECT CONTROL. Rep. Albert urged consideration of efforts to control the spotted alfalfa aphid, and inserted a statement from Mr. Shaw, ARS, commenting on present efforts to control this blight. p. 5965
5. FOREIGN TRADE. Rep. Dorn criticized the administration of the Reciprocal Trade Agreements Act, and suggested a limitation of the importation of certain textile and pork products. p. 5992
6. ACCOUNTING. The Government Operations Committee reported with amendment H. R. 9593, to simplify accounting and facilitate the payment of obligations (H. Rept. 2015). p. 5997
7. GRAINS. The Ways and Means Committee reported without amendment H. R. 9083, to amend the Internal Revenue Code of 1954 by extending for 2 years (from Dec. 31, 1956) the period for rapid amortization of grain-storage facilities (H. Rept. 2017). p. 5997
8. CONGRESS. Reps. McCormack and Martin, Mass., debated the legislative accomplishments of the Second Sessions of the 83rd and 84th Congresses. p. 5967
9. LEGISLATIVE PROGRAM. The "Daily Digest" states the following as the legislative schedule for next week: Mon., D. C. bills; Tues., the watershed bill; Wed., and balance of the week, the soil bank appropriation bill, the State and Justice Departments appropriation bill for 1957, and the highway construction bill for 1956. p. D370
10. ADJOURNED until Mon., Apr. 23. pp. 5984, 5997

SENATE

11. FORESTRY. Passed without amendment S. 2517, to release from escrow the receipts from the sale of timber in the Tongass National Forest. p. 5945
Sen. Neuberger inserted a speech of the Pres. of the International Woodworkers of America urging greater protection of our timber resources. p. 5898

to a single rate, but is sold pursuant to a schedule of rates.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. HRUSKA. I yield.

Mr. KNOWLAND. Since the Senator has been discussing the letter of Assistant Secretary Aandahl, I wonder if it would not be advisable to have printed in the RECORD at this point in his remarks the entire letter.

Mr. HRUSKA. I ask unanimous consent to have the letter printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. LONG in the chair). Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HON. DENNIS CHAVEZ,

*Chairman, Committee on Public Works,
United States Senate, Washington,
D. C.*

MY DEAR SENATOR CHAVEZ: You have requested the views of this Department on S. 3338, relating to rates charged to public bodies and cooperatives for electric power generated at Federal projects.

While the effect of S. 3338 in certain particulars is not clear, the bill generally would operate to freeze at their present levels and until July 1, 1957, the rates charged public bodies and cooperatives for federally generated power marketed by the Department of the Interior.

This Department cannot recommend that S. 3338 be enacted.

In marketing electric power and energy from its own installations and from projects of the Corps of Engineers, this Department acts through a variety of constituent agencies and pursuant to a number of statutes. The Bonneville, Southwestern, and South-eastern Power Administrations and the Bureaus of Reclamation and Indian Affairs all exercise power marketing responsibilities. Governing statutes include those specifically applicable to the marketing of power from the Bonneville, Fort Peck, Boulder Canyon, Eklutna, and Falcon projects, the Reclamation Project Act of 1939, statutes relating to Indian irrigation projects, and section 5 of the Flood Control Act of 1944. As to the Bonneville, Fort Peck, Eklutna, and Falcon projects and projects governed by section 5 of the Flood Control Act of 1944, power rates promulgated by this Department are subject to confirmation and approval by the Federal Power Commission.

While there are, of course, variations in detail among the statutes above referred to, there is under them a common responsibility to secure the return to the United States of an appropriate share of project costs through revenues from the sale of power. If adequate levels of power rates are not maintained, that responsibility cannot be met.

For the period during which it would be effective, S. 3338 would deprive the United States of an essential means of properly administering the Federal power projects to which it would be applicable. With the exception of power marketed through the Southwestern Power Administration, hereinafter discussed, this Department does not now foresee for an extended period including that covered by S. 3338 a necessity for a general rise in rate levels. Nevertheless, the principle contained in S. 3338 is so inconsistent with concepts of sound administration that its enactment cannot be regarded as desirable public policy. And especially is this so since S. 3338 would not only preclude timely action in the event circumstances not now foreseen were to require it but would also preclude technical improvements and adjustments in rate schedules

having the incidental effect of raising particular charges even though overall rate levels were to remain unaffected.

S. 3338 is undoubtedly prompted by the increase in rates now being considered by this Department for the Southwestern Power Administration (SPA) power marketing area. It has long been apparent that a general rise in SPA rates is inevitable if the Federal investment in power producing and transmitting facilities is to be returned on the basis generally applicable to other Federal power developments administered by this Department. The generally accepted basis for the establishment of power rates except where the Congress otherwise provides, is the return, in addition to operation, maintenance, and replacement costs, of the power investment over a period of 50 years at an interest rate approximating 2½ percent.

The existing SPA rates (rate schedule A) have from their inception been intended only for temporary and interim application, a fact known to all purchasers of SPA energy. The rate schedule was confirmed and approved by the Federal Power Commission on February 13, 1947 (docket IT-5971), as "an interim rate schedule to remain in effect only until such time as further study and experience indicate the desirability for revision, but for not more than 6 years * * *." From February 13, 1953, the expiration of the original 6-year period of approval, until December 31, 1954, successive short extensions were granted, and on January 5, 1955, the Federal Power Commission extended schedule A until new rate schedules are approved by the Commission.

That existing rates are not sufficient to accomplish an adequate return is due to a combination of factors among them being rising construction costs, the revision of cost allocations, increases in annual operation and maintenance costs, and the increase in costs resulting from the operation of the so-called lease-option contracts with several generation and transmission cooperatives in the Oklahoma and Missouri areas.

After several years of study, the Federal Power Commission was requested, on December 29, 1954, to confirm and approve an increase in schedule A to the level then considered necessary in order to accomplish return of the Government's investment under the generally accepted standards. However, the reactivation of the lease contracts with the G and T cooperatives, provided for in the Departmental Appropriation Act for fiscal year 1956, further increased costs necessitating restudy and revision of the December 1954 proposals. The Commission accordingly was requested to withhold action on the submittal then before it. Studies had progressed to the point where this Department was prepared to propose specific revisions in the 1954 submittal for approval and confirmation by the Federal Power Commission when the Subcommittee on Flood Control, Rivers, and Harbors of the Committee on Public Works instituted a series of hearings upon the proposed rate increase.

A summary comparison of original and current estimates of cost and other data for the projects for which SPA is the marketing agent clearly demonstrates the necessity for an increase in power rates.

For the seven integrated projects in the system (Denison, Norfolk, Bull Shoals, Fort Gibson, Tenkiller Ferry, Blakely Mountains, Table Rock) total cost at time of authorization was estimated at \$199.8 million, of which \$109.2 million was allocated to power according to the SPA estimate. At the time of filing of rate schedule A in 1946, total estimated cost had risen to \$234.8 million, with \$111.2 million allocated to power according to the SPA estimate. In 1953 the Corps of Engineers and SPA each made allocation studies. The corps estimated total cost at \$42.4 million, with \$216.4 million allocated

to power, and SPA used a total cost of \$337.9 million, with \$160.3 million allocated to power. In 1954, following the agreement among FPC, the Department of the Army, and this Department as to cost allocation methods for application to all water development projects, the corps estimated total construction cost at \$357.6 million, with \$200.2 million allocated to power.

Several significant points are to be noted. First, the estimated total construction cost has risen 79 percent above the original estimate. Second, while dollarwise the allocation to power has increased 83.3 percent over the original SPA estimate, the percentage of total cost allocated to power under the current estimate (56 percent) is approximately the same as the percentage prevailing at the time of authorization (54.7 percent) and it is only slightly higher than the percentage prevailing at the time of the filing of rate schedule A (47.4 percent). Third, the substantial increase in construction costs has not been accompanied by any significant increase in the estimate of annual available primary energy, this having been 1,362 million kilowatt-hours at the time of filing of rate schedule A in 1946 and currently stands at 1,376 million kilowatt-hours. Fourth, although the estimate of installed capacity has increased from 426,000 kilowatts at the time of authorization to 674,000 kilowatts under current estimates, with a rise in the estimate of average annual energy from 1,430 million kilowatt-hours at the time of authorization to 1,970 million kilowatt-hours, the contribution to the revenue picture of this increase is minor since the increase represents almost entirely nonfirm energy.

Except for the Denison and Norfolk projects for which the allocations to power are based upon incremental costs by virtue of the provisions of authorizing documents, current cost allocations for the integrated projects are arrived at by the separable costs-remaining benefits method. This is the method recommended for general application by the interagency agreement on cost allocation methods and it was also recommended by the Subcommittee to Study Civil Works of the House Committee on Public Works (the so-called Jones committee) in its report to the 82d Congress. This method entails an allocation of joint costs among the several purposes served in such a way that each purpose shares equitably in the savings resulting from the combining of the purposes in the multiple-purpose development.

As above indicated the current allocation of costs by that method is \$200.2 million. If only separable costs were to be allocated to power, that is if there were to be allocated to power only the difference between the cost of constructing the projects with and without power as a purpose, the cost allocation would be reduced by less than \$19 million to a total of \$181.4 million. This would decrease revenue requirements by only \$0.00032 (three-tenths of a mill) per kilowatt-hour on all primary energy sales. It is apparent, therefore, that the adoption of the separable costs-remaining benefits method of allocations is not a substantial factor contributing to the need for increased revenue. The principal factor contributing to the need for increased revenue is the substantial increase that has come about in construction on operating costs unaccompanied by a comparable increase in available primary energy.

The rate increase proposed by this Department is the minimum considered necessary to accomplish return of the Government's investment allocated to power in 50 years at 2½ percent interest, the generally accepted standard for the establishment of power rates.

We are firmly of the view that it would be unwise to defer further the application of the rate-establishing procedures of section 5 of the Flood Control Act of 1944. Extended deferment of consideration of a revision in

rates can only result in the end, if the standards of ratemaking applicable generally to Federal projects are to apply, in a necessity for an increase above the level that would be sufficient were action to be taken at this time. Further delay would, therefore, in our view constitute a disservice to the very public bodies and cooperatives S. 3338 is intended to aid.

At the outset of this report it was stated that operation of S. 3338 in certain particulars is not clear. The bill refers to the rate charged on February 27, 1956, to a public body or cooperative for electric service furnished that public body or cooperative.

Charges for electric power and energy are commonly computed not upon the basis of a single rate but upon the basis of rate schedules applicable to particular classes of service. Thus, ordinarily there will be one rate schedule for firm power service and others for other classes such as dump or secondary service and irrigation pumping. Particularly in the case of firm power service the rate schedule will consist of a number of rates, the applicability of each of which will depend upon such factors as the amount of energy taken by the customer in a given month, the customer's load factor, his highest monthly demand, etc.

From the use in S. 3338 of the singular rate, the reference to the rate charged rather than to the rate schedule applicable, and the absence of a reference to classes of service it is not clear whether in the event of its enactment charges could be computed, during its effective period, on the basis of the schedule of rates applicable on February 27, 1956, to the particular class, quantity and character of service received by the customer during each monthly billing period. If the bill is not to be so read it would preclude proper charges based upon variations in such factors as the customer's load factor and upon changes in the class of service being taken. It would also, in that event continue in effect certain rate schedules or rate schedule provisions that would otherwise by their terms have expired within that period, for example rate ceilings applicable temporarily in new service areas and experimental rates all of which would otherwise expire by their own terms within the period of the bill's applicability. Other examples of the uncertainty that S. 3338 would bring about in the computation of charges may be found in those cases where the monthly charge is dependent in whole or part upon some factor of actual monthly, variable cost as in the case of certain dump energy rates which are established at a specified percentage of fuel costs and in other instances in which the customer's charges are in part premised upon actual, monthly operating expenses.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to your committee.

Sincerely yours,

FRED G. AANDAHL,
Assistant Secretary of the Interior.

Mr. KNOWLAND. Mr. President, if the Senator will yield, I should like to ask him if the amendment which has just been offered clarifies at least that part of the objection which was raised by the Assistant Secretary.

Mr. HRUSKA. Yes; it does clarify that part of the situation.

Continuing with the reason for the criticism in the first place, it is pointed out in the Secretary's letter that the applicability of any portion of a rate schedule as of any particular day or as of any particular month would depend upon the amount of energy taken by the customer in a given month, the load factor, the highest monthly demand, the class of power, and so on.

The purpose of the amendment which was proposed and read into the RECORD is to accommodate that thought and make clear the construction of the bill, so that it will apply to the schedule of rates and the particular rate which will flow therefrom, rather than to a single rate, which is, of course, not a practical application of the term.

HOUSING FOR ESSENTIAL CIVILIAN EMPLOYEES OF THE ARMED FORCES

Mr. JOHNSON of Texas. Mr. President, I am informed there are other Senators who would like to be present when the bill now under discussion is considered. Therefore, I ask unanimous consent that the Senate proceed to the consideration of calendar No. 1796, S. 3515. One Senator wants a quorum call. Another Senator has asked for time to get here. Meanwhile, the Senate can proceed to consider bills to which there is no objection.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S 3515) to amend the National Housing Act, as amended, to assist in the provision of housing for essential civilian employees of the Armed Forces.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking and Currency with an amendment, to strike out all after the enacting clause and insert:

That title VIII of the National Housing Act, as amended, is amended by adding at the end thereof a new section as follows:

"SEC. 809. (a) Notwithstanding any other provisions of this title and in addition to mortgages insured under section 803, the Commissioner may insure any mortgage under this section which meets the eligibility requirements set forth in section 203 (b) of this act: *Provided*, That a mortgage insured under this section shall have been executed by a mortgagor who at the time of insurance is the owner of the property and either occupies the property or certifies that his failure to do so is the result of a change in his employment by the Armed Forces or a contractor thereof and to whom the Secretary or his designee has issued a certificate indicating that such person requires housing and is at the date of the certificate a civilian employee at a research and development installation of one of the Armed Forces of the United States or a contractor thereof and is considered by the Armed Forces to be an essential, nontemporary employee at such date. Such certificate shall be conclusive evidence to the Commissioner of the employment status of the mortgagor and of the mortgagor's need for housing.

"(b) No mortgage shall be insured under this section unless the Secretary or his designee shall have certified to the Commissioner that the housing is necessary to provide adequate housing for such civilians employed in connection with such a research and development installation and that there is no present intention to substantially curtail the number of such civilian personnel assigned or to be assigned to such installation. Such certification shall be conclusive evidence to the Commissioner of the need for such housing but if the Commissioner

determines that insurance of mortgages on such housing is not an acceptable risk, he may require the Secretary to guarantee the Armed Services Housing Mortgage Insurance Fund from loss with respect to mortgages insured pursuant to this section. There are hereby authorized to be appropriated such sums as may be necessary to provide for payment to meet losses arising from such guaranty.

"(c) The Commissioner may accept any mortgage for insurance under this section without regard to any requirement in any other section of this act that the project or property be economically sound or an acceptable risk.

"(d) Any mortgagee under a mortgage insured under this section is entitled to the benefits of insurance as provided in section 204 (a) with respect to mortgages insured under section 203.

"(e) The provisions of subsections (b), (c), (d), (e), (f), (g), (h), and (j) of section 204 shall apply to mortgages insured under this section except that as applicable to those mortgages: (1) all references to the 'Fund' or 'Mutual Mortgage Insurance Fund' shall refer to the 'Armed Services Housing Mortgage Insurance Fund' and (2) all references to section 203 shall refer to this section.

"(f) The provisions of sections 801, 802, 803 (c), 803 (i), 803 (j), 804 (a), 804 (b), and 807 and the provisions of section 803 (a) relating to the aggregate amount of all mortgages insured and the expiration date of the Commissioner's authority to insure under this title, shall be applicable to mortgages insured under this section."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a part of the general statement contained in the report on the bill be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

This bill would add a new section 809 to title VIII of the National Housing Act, as amended, to provide mortgage insurance on homes to be owned by private individuals who are essential civilian employees of the armed services, or employees of contractors of the armed services, at research and development installations. Mortgage terms available under the bill are the same as those available under section 203 of the National Housing Act, the FHA's regular program of mortgage insurance for sales housing.

In order to qualify for insurance under the proposed new section, an individual would be required to hold a certificate issued by the Secretary of Defense which certifies that (1) he requires housing, (2) he is, on the date of the certificate, a civilian employed at a research and development installation of one of the armed services of the United States, or an employee of a contractor of the armed services, and (3) he is considered by the armed services to be an essential, nontemporary, employee at such date.

SALE OF TIMBER WITHIN THE TONGASS NATIONAL FOREST, ALASKA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order No. 1797, S. 2517.

The PRESIDING OFFICER. The clerk will state the bill by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 2517) to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Texas?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (a) of section 3 of the act approved August 8, 1947 (61 Stat. 920), is hereby amended by striking out the period at the end of said subsection and inserting in lieu thereof a colon and the following: "Provided, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the act of May 23, 1908 (35 Stat. 260), as amended, and the act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid, the Territory of Alaska shall pay to the United States 25 percent of the moneys required to satisfy such claims: *Provided*, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the act of March 23, 1908: *Provided further*, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such act."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there may be printed in the RECORD a brief statement with reference to the bill as contained in the report on the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

S. 2517 would authorize payment of 25 percent of the revenues from the Tongass National Forest in Alaska to the Territorial government of Alaska for gravely needed schools and roads in the Territory. The Department of Agriculture would receive 10 percent of the revenues for roads and trails in the national forest.

Such payments would be made under Federal laws of long standing that are applicable to all States and Alaska in which national forests have been established. Alaska would not receive any benefits that the States do not now enjoy. In fact, the Territorial schools are now being deprived of benefits they would now be enjoying were it not for the specific provision of the Tongass National Forest Act which requires that all revenues be held in escrow.

COMPENSATION OF SUPREME COURT JUSTICES AND CIRCUIT COURT JUDGES OF HAWAII

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1799, H. R. 7058.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 7058) to amend the act of May 29, 1928 (45 Stat. 997) in respect to the compensation of supreme court justices and circuit court judges.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD a statement in explanation of the bill contained in the report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

H. R. 7058 would increase the part paid by the Federal Government of the total annual salaries of the supreme and circuit court judges of the Territory of Hawaii by amendment to the act of May 29, 1928 (45 Stat. 997).

All of the judges that would be affected by the bill, 15 in number, are appointed by the President and are confirmed by the Senate. Under the Organic Act of Hawaii, all must be residents of Hawaii.

The present annual salaries were established by act of Congress in 1928. By act of the Territorial Legislature of May 22, 1945—1945 Session Laws of Hawaii, page 357—the salaries payable to these justices by the United States were supplemented from funds of the Territory to the extent of \$3,000 per annum. In 1951 the Territorial Legislature increased the supplemental compensation to \$4,500 per annum—1951 Session Laws of Hawaii, page 637. Thus, the total annual compensation now received by the chief justice of the supreme court is \$15,000; for the associate justices, \$14,500; \$12,000 for the justices of the first circuit; and \$11,500 for the justices of the remaining circuits.

The changes in the salary scales that enactment of H. R. 7058 would bring about are: Chief justice, Supreme Court of Hawaii, \$17,500; associate justices, Supreme Court of Hawaii, \$17,000; circuit judges, all circuits, \$15,000.

AUTHORIZATION FOR TERRITORY OF ALASKA TO INCUR INDEBTEDNESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1801, H. R. 4781.

The PRESIDING OFFICER. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4781) to authorize the Territory of Alaska to incur indebtedness, and for other purposes.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 2, line 7, after the word "exceed", to strike out "\$12,500,000" and insert "\$20,000,000"; and on page 5, after line 17, to insert:

SEC. 7. The Territory of Alaska is authorized and empowered, notwithstanding any provision of the Organic Act or any other act of Congress to the contrary, to guarantee payment of bonds issued by municipalities, school districts, and public-utility districts in Alaska for constructing, altering, equipping, or acquiring public improvements of the nature for which the Territory may issue bonds in an aggregate amount which shall

not at any one time exceed the sum by which the principal amount of Territorial bonds and certificates of indebtedness then outstanding under this act is less than \$20,000,000. The authority to guarantee bonds of such subdivisions shall be exercised in a manner prescribed in section 2 of this act.

Mr. KNOWLAND. Mr. President, may we have a brief explanation of the bill?

Mr. JOHNSON of Texas. Mr. President, this is a House bill, and its purpose is to authorize the Territory of Alaska to issue bonds and other instruments of indebtedness to obtain funds for public purposes. Under the committee amendments, the Territory is authorized also to guarantee bonds issued by municipalities, and school and public utility districts for specified purposes.

All borrowing authorized by the bill would be on the responsibility of the Territory of Alaska, and under laws to be enacted by the Territorial legislature, the members of which are elected by the people of Alaska. The credit of the Federal Government is in no way involved.

Maximum indebtedness under the authorization of H. R. 4781 may not exceed \$20 million at any time.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

PAYMENT OF GRATUITY TO RENA V. PELLEGRINI

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1804, Senate Resolution 243.

The PRESIDING OFFICER. The resolution will be stated by title, for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 243) to pay a gratuity to Rena V. Pellegrini.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MAGNUSON. Mr. President, the United States Senate lost a valued and trusted servant in the untimely passing on January 14, 1956, of Frank Pellegrini, chief counsel of the Committee on Interstate and Foreign Commerce.

Today, through adoption of Senate Resolution 243, we have the opportunity, in small measure, to give a belated "thank you," perhaps not to Frank, but to Mrs. Pellegrini, and the two sons who survive him. We wish them well, and undoubtedly this resolution will express in more tangible terms our sentiment.

In addition, Mr. President, I ask that there be printed in the RECORD at this point a resolution which was adopted by unanimous vote of the Committee on Interstate and Foreign Commerce at an executive session on January 25, 1956.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Senate Committee on Interstate and Foreign Commerce has learned with profound sorrow of the death of its chief counsel, Frank Pellegrini; and

Whereas Frank Pellegrini had been outstanding in organizing and handling the affairs of this committee, conducting its hearings with impartiality, so that despite the press of business, all had a fair and equal chance to be heard; and

Whereas the instantaneous nationwide expression of deep sympathy from the transportation, communications, maritime, fisheries, and other industries with which he worked are indications of the regard in which he was held; and

Whereas Frank Pellegrini was a man of the greatest integrity, brilliant intellect, and devoted himself with a whole heart to the public interest in the discharge of the duties of this committee; and

Whereas Frank Pellegrini, the individual, was of such a caliber as to command the deepest respect and at the same time the greatest personal loyalty of staff members as well as Senators, of comparable staff in the House Merchant Marine and Fisheries Committee, and the House Interstate and Foreign Commerce Committee as well as Representatives with whom he worked; and

Whereas there developed between Frank Pellegrini and the individual members of this committee, of both parties, a close personal bond of friendship which transcended the day-to-day business of the committee: Now, therefore be it

Resolved, That individually and as a committee we express to his widow and two children our sincere sympathy in their bereavement, in partial consolation and assure them of our great respect for their husband and father who has been our wonderful friend and sympathetic fellow worker.

The PRESIDING OFFICER. The question is on agreeing to Senate Resolution 243.

The resolution was agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Rena V. Pellegrini, widow of Frank Pellegrini, an employee of the Senate at the time of his death, a sum equal to 11½ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PAYMENT OF GRATUITY TO RUTH M. HAEFNER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1805, Senate Resolution 244.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 244) to pay a gratuity to Ruth M. Haefner.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Ruth M. Haefner, daughter of Florence R.

McKeever, an employee of the Senate at the time of her death, a sum equal to 1 year's compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

PRINTING OF ADDITIONAL COPIES OF THE SUBCOMMITTEE REPORT ON JUVENILE DELINQUENCY AMONG INDIANS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1808, Senate Resolution 239.

The PRESIDING OFFICER. The resolution will be stated by title, for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 239) to print for the use of the Judiciary Committee additional copies of the subcommittee report on juvenile delinquency among the Indians.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the resolution was considered and agreed to, as follows:

Resolved, That there be printed for the use of the Committee on the Judiciary not more than 2,000 additional copies of the report No. 1483, 84th Congress, of the Committee on the Judiciary to the Senate on its study of juvenile delinquency in the United States.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT 1734 ON WELFARE AND PENSION FUNDS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1809, Senate Resolution 238.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A resolution (S. Res. 238) authorizing the printing of additional copies of Senate Report 1734 on welfare and pension funds.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment in line 1, after the word "printed", to strike out "3,500" and insert "3,230," so as to make the resolution read:

Resolved, That there be printed 3,230 additional copies of Senate Report 1734, a report on welfare and pension funds, for the use of the Senate Committee on Labor and Public Welfare.

The amendment was agreed to.

The resolution, as amended, was agreed to.

ABOLISHMENT OF THE VERENDRYE NATIONAL MONUMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1811, House bill 1774.

The PRESIDING OFFICER (Mr. LONG in the chair). The bill will be read by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment on page 1, line 6, after the word "thereon", to strike out "subject to existing permits" and insert "subject to the reservation to the United States of the right to flood such lands in connection with the operation and maintenance of the Garrison Dam and Reservoir project."

Mr. MORSE. Mr. President, I wish to make a brief statement regarding the bill, because I think we can quickly reach agreement on it.

As I understand, the committee wishes to have the property disposed of in accordance with provisions of the Surplus Property Act. I have no objection to having that done. However, the bill in its present form will not do that.

I should like to suggest that the amendment which I understand the present occupant of the Chair, the distinguished junior Senator from Louisiana [Mr. LONG], is willing to accept be submitted; and as a matter of courtesy I shall offer it for him, if he will permit me to do so. If the amendment is adopted by the Senate, I shall not have any objection to the bill; I never object to having property disposed of in accordance with the provisions of the Surplus Property Act.

However, in its present form the bill does not provide for that. Therefore, I would have to object to the bill, unless the amendment were agreed to.

The PRESIDING OFFICER. Let the Chair inquire whether the Senator from Oregon has the amendment before him now. The Chair is not certain that the amendment has yet been prepared.

Mr. MORSE. No, Mr. President; I do not have the amendment before me.

The PRESIDING OFFICER. Then let the Chair suggest that the bill be passed over temporarily.

Mr. MORSE. Very well, Mr. President; I ask that the bill be passed over temporarily.

The PRESIDING OFFICER. Without objection, the bill will be passed over temporarily.

EXTENSION OF TIME FOR FILING REPORT BY THE DISTRICT OF COLUMBIA AUDITORIUM COMMISSION

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the

84TH CONGRESS
2D SESSION

S. 2517

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 1956

Referred to the Committee on Agriculture

AN ACT

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 3 of the Act approved Au-
4 gust 8, 1947 (61 Stat. 920), is hereby amended by striking
5 out the period at the end of said subsection and inserting
6 in lieu thereof a colon and the following: "*Provided, That*
7 all receipts heretofore and hereafter received from the sale
8 of such timber shall be subject to the provisions of the Act
9 of May 23, 1908 (35 Stat. 260), as amended, and the Act
10 of March 4, 1913 (37 Stat. 843), as amended. If any

1 claims of possessory rights to lands or timber within the
2 exterior boundaries of the Tongass National Forest are deter-
3 mined to be valid, the Territory of Alaska shall pay to the
4 United States 25 per centum of the moneys required to
5 satisfy such claims: *Provided*, That the Territory shall not
6 be required to pay to the United States any amount in excess
7 of the total amount received by the Territory from the United
8 States pursuant to the Act of March 23, 1908: *Provided fur-*
9 *ther*, That such payments by the Territory to the United
10 States shall, to the extent possible, be effected by deductions
11 from the amounts otherwise payable to the Territory pursuant
12 to such Act.”.

Passed the Senate April 19 (legislative day, April 9),
1956.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

APRIL 23, 1956

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued
For actions of

June 22, 1956
June 21, 1956
84th-2nd, No. 103

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HIGHLIGHTS: House committee ordered reported bills to decrease review period for watershed projects; continue ACP; release certain Tongass Forest receipts from escrow; extend school milk program to certain institutions; authorize land purchase in Cache National Forest; permit certain cotton futures purchasing; approve Middle Atlantic Forest fire protection compact; prescribe the civil penalties for violations of Federal Seed Act; and permit certain USDA-State-local employees exchanges. House committee ordered reported fisheries bill. House committee ordered reported bill to provide for reimbursement to Post Office of registration fees on Government mail. Conferees agreed to file conference report on roads bill. Senate confirmed nomination of Hamil as REA Administrator.

HOUSE

1. THE AGRICULTURE COMMITTEE ordered reported the following bills: p. D662
 - H. R. 11873, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days.
 - H. R. 9339, to authorize the exchange of certain lands within Chattahoochee National Forest, Ga.
 - H. R. 11375, to further extend the special school milk program to certain institutions for the care and training of children, whether or not under-privileged.
 - H. R. 609, to extend the provisions of the Federal Import Milk Act to Alaska.
 - H. R. 8321, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959.
 - H. R. 9678, to provide for the transfer of the Baronof Castle site (formerly research land) to Sitka, Alaska.
 - H. R. 8898, to authorize the purchase of additional lands within the Cache National Forest, Utah.
 - H. R. 9333, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases.
 - H. R. 8817, to provide for the transfer of certain USDA lands to Corbin, Ky.

S. 3032, to approve the proposed Middle Atlantic Interstate Forest Fire Protection Compact.

S. 2517, to release from escrow certain timber sale receipts in the Tongass National Forest.

S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act.

S. 1915, to permit the exchange of employees of the USDA and employees of State-local political subdivisions or educational institutions.

2. FISHERIES. The Merchant Marine and Fisheries Committee ordered reported H. R. 11570, to establish a sound and comprehensive national policy with respect to fisheries and wildlife and create and establish in the Interior Department, the office of Undersecretary of Fisheries and Wildlife. p. D663
3. POSTAL SERVICE. The Post Office and Civil Service Committee ordered reported S. 1871, to provide for the reimbursement to the Post Office Department of fees for registration of Government mail. p. D664
4. ROADS. The conferees agreed to file a conference report on H. R. 10660, the road construction and revenue bill. p. D665
5. PUBLIC DEBT. Passed without amendment H. R. 11740, to increase the public debt limit by \$3 billion for the fiscal year 1957. p. 9716
6. DAYLIGHT-SAVING TIME. The D. C. Committee ordered reported S. 3295, to authorize extension of the period of daylight-saving time in D. C. until October. p. D662
7. TRADE FAIRS. The Foreign Affairs Committee ordered reported H. J. Res. 604, to authorize the President to invite the States and foreign countries to participate in the U. S. World Trade Fair of 1957. p. D663
8. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public (H. Rept. 2410). p. 9720
9. FOREIGN AID. Rep. Johansen criticized the continuation of foreign aid and urged a reappraisal of the entire foreign aid program. p. 9717
10. LEGISLATIVE PROGRAM. Rep. McCormack announced the following schedule for the week of June 25: Mon., D. C. bills; the balance of the week, the veterans' compensation increase bill, the Federal aid school construction bill, the conference reports on the public works appropriation bill, the road bill, and the Labor-HEW appropriation bill. p. 9715
11. ADJOURNED until Mon., June 25. p. 9719

SENATE

12. NOMINATIONS. Confirmed the nominations of David A. Hamil to be REA Administrator; and Glenn A. Boger to be a member of the Federal Farm Credit Board. pp. 9660, 9709
13. APPROPRIATIONS. Began debate on the Defense Department appropriation bill. pp. 9674, 9694, 9697

July 2, 1956

SURPLUS COMMODITIES.

- 16./S. 3903, to increase the amount under title 1 of the Agricultural Trade Development and Assistance Act, was made the unfinished business. pp. 10440, 10485
17. CCC BORROWING POWER. Sen. Ellender urged prompt consideration of S. 3820, to increase the borrowing power of CCC. p. 10440

HOUSE

18. RECLAMATION. Conferees were appointed on S. 1622, to authorize the Secretary of the Interior to make payment for certain improvements located on public lands in the Rapid Valley unit, S. Dak., of the Missouri River Basin project. Senate conferees were appointed on June 29. p. 10499
19. WATERSHEDS. Passed without amendment H. R. 11873, to decrease the Congressional review period of projects under the Watershed Protection and Flood Prevention Act from 45 days to 15 days. p. 10515
20. PENALTY MAIL. Passed as reported S. 1871, to extend the penalty mail Act to Extension Directors and Experiment Stations. p. 10509
21. POSTAL RATES. Agreed to a resolution providing for the consideration of H. R. 11380, to readjust postal rates and to establish a congressional policy for the determination of postal rates. p. 10546
22. FOREIGN AID. Conferees were appointed on H. R. 11356, the mutual security bill. Senate conferees were appointed June 29. p. 10533
23. LAND TRANSFERS. Passed as reported H. R. 8817, to provide for the transfer of certain lands to Corbin, Ky. p. 10514
The Agriculture Committee reported without amendment H. R. 9678, to provide for the transfer of the Baronof Castle site (formerly research land) to Sitka, Alaska (H. Rept. 2571). p. 10561
The Forests Subcommittee of the Agriculture Committee ordered reported to the full committee H. R. 11895, to authorize the interchange of lands between the USDA and the military departments of the Defense Department. p. D726
24. FORESTRY. Passed without amendment H. R. 9339, to authorize the exchange of certain lands in Union County, Ga. for lands within the Chattahoochee National Forest, Ga. p. 10514
The Agriculture Committee reported without amendment S. 2517, to release certain Tongass National Forest receipts from escrow (H. Rept. 2568). p. 10561
25. MILK. Passed without amendment H. R. 11375, to further extend the special school milk program to certain institutions for the care and training of children whether or not underprivileged. p. 10515
26. SEED. Passed without amendment S. 1688, to remove the criminal penalty for inadvertent violations of the Federal Seed Act and to prescribe civil penalties for such violations of the Act. This bill is now ready for the President. p. 10516
27. COMMODITY EXCHANGES. Passed as reported H. R. 9333, to give to certain consuming processors of cotton the privilege of buying cotton futures contracts in certain cases. p. 10516
28. TRANSPORTATION. At the request of Rep. Ford, after some discussion, passed over S. 898, to amend the Interstate Commerce Act, with respect to the authority of

the Interstate Commerce Commission to regulate the use by motor carriers (under leases, contracts, or other arrangements) of motor vehicles not owned by them, in the furnishing of transportation of property. p. 10512

29. CONTRACTS. The Ways and Means Committee reported on June 30 with amendment H.R. 11947, to extend and amend the Renegotiation Act of 1951 (H. Rept. 2549). p. 10560
30. SOIL CONSERVATION. The Agriculture Committee reported without amendment H. R. 8321, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959 (H. Rept. 2570). p. 10561
31. PERSONNEL. Passed without amendment S. 1542, to authorize an allowance for civilian officers and employees of the Government who are notaries public. This bill is now ready for the President. p. 10508
At the request of Rep. Gross, passed over S. 1815, to permit the exchange of employees of the USDA and employees of State-local political subdivisions or educational institutions. p. 10515
Passed without amendment H. R. 11923, to provide for the conferring of an award to be known as the Medal for Distinguished Civilian Achievement. p. 10519
The Executive and Legislative Reorganization Subcommittee of the Government Operations Committee ordered reported to the full committee H. R. 11515, to provide for the payment of travel and transportation costs of persons selected for appointment to certain positions in the U. S. and Alaska. p. D726
32. RECORDS. At the request of Rep. Cunningham, passed over S. 2364, to clarify GSA authority over records management. p. 10499
33. WATER PLANTS. Passed without amendment H. R. 11636, to amend Chapter 3 of Title 18, U. S. Code, to provide penalties for the transportation, sale of, or advertising for sale, in interstate commerce, of water hyacinth plants, water chestnut plants, or alligator grass. p. 10505
34. BUILDINGS. Passed without amendment S. 3866, to facilitate the making of lease purchase agreements by GSA by deleting the requirement for approval of purchase contract agreements by the Director of the Bureau of the Budget and adding a requirement that the project statement by the Director shall be based on budgetary and related considerations, and not deemed to constitute approval of specific terms or provisions of any proposed agreement or of the selection of any particular contractor or lessor. This bill is now ready for the President. p. 10510.
35. WEATHER. Passed without amendment S. 2913, to extend for two years (until June 30, 1958) the Advisory Committee on Weather Control. This bill is now ready for the President. p. 10510
36. RESEARCH; ORGANIZATION. Passed without amendment H. R. 11575, to provide for an Assistant Secretary for Research and Development for each of the three military departments within the Defense Department. p. 10524
37. FLOOD CONTROL. Passed with amendment S. 3272, to increase and make certain revisions in the general authorization for small flood control projects. A similar bill, H. R. 9555, was laid on the table. p. 10529

DISPOSITION OF REVENUES FROM TONGASS NATIONAL FOREST, ALASKA

JULY 2, 1956.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WOOLEY, from the Committee on Agriculture, submitted the
submitted the following

R E P O R T

[To accompany S. 2517]

The Committee on Agriculture, to whom was referred the bill (S. 2517) to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to authorize the release for use under provisions of law relating to all national forests of receipts from the sale of timber on the Tongass National Forest, Alaska, which have been held in escrow since sale of timber on the forest was authorized in the act of August 8, 1947. Under the laws relating to disposition of receipts from the national forests, 25 percent of the receipts from the Tongass National Forest would normally go to the Territory of Alaska for use of schools and roads in the Territory and another 10 percent would be available to the Forest Service for construction of roads and trails within the forest.

Because of pending claims of native Alaskans to certain lands within the Tongass National Forest, the usual disposition of forest receipts was deferred by the 1947 act authorizing the timber sale. While still protecting whatever rights there may be on the part of any Indian claimants to the Tongass National Forest lands and revenues, this bill will permit the release of 35 percent of the funds now held in escrow and those received in the future for sorely needed schools and roads in the Territory.

Hearings were held by this committee simultaneously on this bill (S. 2517) and a similar House bill (H. R. 611) and the author of the House bill, Hon. E. L. Bartlett, of Alaska, urged enactment of the Senate bill.

SENATE REPORT

The Senate report on the bill explains the measure in some detail and indicates the approval of the various executive agencies concerned.

PURPOSE OF MEASURE

S. 2517 would authorize payment of 25 percent of the revenues from the Tongass National Forest in Alaska to the Territorial government of Alaska for gravely needed schools and roads in the Territory. The Department of Agriculture would receive 10 percent of the revenues for roads and trails in the national forest.

Such payments would be made under Federal laws of long standing that are applicable to all States and Alaska in which national forests have been established. Alaska would not receive any benefits that the States do not now enjoy. In fact, the Territorial schools are now being deprived of benefits they would now be enjoying were it not for the specific provision of the Tongass National Forest Act which requires that all revenues be held in escrow.

Some \$2¼ million have been accumulated in the Tongass National Forest fund since 1947. Under the bill, Alaska would receive 25 percent of this amount, as well as 25 percent of future revenues. The Department of Agriculture would receive 10 percent of the accumulated fund, and 10 percent of future revenues for development work in the forest.

Indian claims safeguarded

At the same time, the bill fully safeguards whatever rights there may be on the part of any Indian claimants to the Tongass Forest lands and revenues. Although last year the Supreme Court of the United States ruled, in the Tee-Hit-Ton case (*The Tee-Hit-Ton Indians v. The United States* (348 U. S. 272)), that no compensable Indian claims based on possessory rights exist in Alaska, S. 2517 does not deny, nor does it recognize, any Indian claims that may be validated in the future by court action.

The remaining 65 percent of the present fund, as well as 65 percent of future revenues, will continue to be available for payment of such claims, if subsequently allowed, with the Territory liable for 25 percent of the amount.

BACKGROUND OF LEGISLATION

The Tongass National Forest was created by withdrawals from the vast public domain in Alaska by Presidential proclamations between 1902 and 1909. It comprises some 16 million acres of land but only about 3.5 million acres are commercial timberland which occupy the lower elevations below 1,500 feet. These lands contain about 78 billion board-feet of virgin timber, largely of high-grade pulp material of hemlock and spruce. About 75 percent of the commercial timber lies within 2½ miles of tidewater.

Timber is the principal resource in the Tongass Forest, but until after the Second World War annual sales were relatively small, amounting to about 60 million board-feet. Pulp has become of major importance since 1948 and the annual cut has increased nearly fourfold so that today it is in excess of 200 million board-feet. Approximately three-fourths of present annual output is manufactured for dissolving

pulp by the Ketchikan Pulp Co. This company, which has a 400-ton daily capacity, holds a 50-year sale for $8\frac{1}{4}$ billion board-feet of timber from the Tongass National Forest. It has invested upwards of \$50 million in this enterprise.

Further large developments for Tongass timber are in prospect as 3 other companies have 50-year contracts as the result of bidding in large volumes of timber for pulp, lumber, and veneer since June 1954. The combined timber offerings to these companies total $15\frac{1}{4}$ billion board-feet. The annual cut of national-forest timber will be about half a billion board-feet when these companies get into operation within the next several years.

This rapid increase in timber-sale activity on the Tongass National Forest has been brought about primarily as a result of two significant developments: (1) The rising demand for pulp in the United States, and (2) the enactment of the Tongass Timber Act of August 8, 1947 (61 Stat. 920), which authorized the Secretary of Agriculture to sell timber from the Tongass National Forest, notwithstanding any claim of native possessory rights to such timberlands.

The Tongass Timber Act

The Tongass Timber Act was enacted in order to remove doubts as to the authority of the Secretary of Agriculture to manage and sell the timber resources of the Tongass National Forest. These doubts had been raised by the assertion of rights to the Tongass lands by various natives of Alaska. These asserted claims were often overlapping and were tending to block the orderly development of a pulp industry in Alaska dependent on the timber from the national forest.

That act states specifically that it neither denies nor recognizes the validity of Indian or other native claims to land or timber within the Tongass Forest. It has encouraged the development of a pulp industry in Alaska with its many benefits. The act directs that all receipts from the sale of timber or land from the national forest shall be maintained in a special account in the Treasury until the question of aboriginal and possessory rights to any of the Tongass timber or land is finally determined.

This withholding of national-forest receipts in a special account as required by the Tongass Timber Act prevents (1) the distribution of 25 percent of such receipts to the Territory for road and school expenditures, and (2) the expenditure of 10 percent of the receipts by the Secretary of Agriculture for national-forest roads and trails in Alaska. As stated, funds in this special account now amount to nearly \$2 $\frac{1}{4}$ million and are accumulating at a rate of about \$600,000 annually. When cutting begins under the terms of the three recent 50-year timber-sale contracts, receipts will increase substantially over present levels.

EXPLANATION OF THE PROVISIONS

S. 2517 would: (1) make available to Territory of Alaska 25 percent of receipts from the sale of timber from the Tongass National Forest hereafter received or heretofore received and now held in special deposit account; (2) make available 10 percent of such receipts to the Secretary of Agriculture for road and trail work in the national forests in Alaska; (3) retain 65 percent of receipts in the special deposit account until possessory rights of Alaska natives to land and timber are determined; (4) provide that the Territory pay to the United

States 25 percent of moneys required to satisfy possessory claims up to a maximum of the total amount received by the Territory from the United States as its share of national-forest receipts under the 25 Percent Receipts Act of March 23, 1908; and (5) provide that such payments by the Territory be effected to extent possible by deductions from payments due the Territory under the 25 Percent Receipts Act.

The required withholding of national-forest receipts in escrow imposes a financial hardship on the Territorial agencies financing local road and school activities and on the accomplishment of needed national-forest road and trail work. Enactment of S. 2517 would correct this situation by making available a portion of the accumulated and future receipts for development of the Territory. The committee reiterates its conviction that enactment of S. 2517 would neither affirm nor deny any possessory rights that Alaska natives may be found to have to the land or timber within the Tongass National Forest.

The provisions of the bill would be equitable to the Territory, to the United States, and to a successful claimant of possessory rights, if any are subsequently determined to be valid.

REPORTS OF EXECUTIVE AGENCIES

The report of the Department of Agriculture, which administers the Tongass National Forest, strongly recommends enactment of S. 2517 without amendment. The Bureau of the Budget has advised that there is no objection to the Department's favorable recommendation. The Department of the Interior, which has general administrative responsibility for Federal governmental functions in Alaska, favors enactment of the legislation. Subsequent to the hearing and favorable committee action on the bill as introduced, the Department suggested an amendment designed to permit immediate distribution of the entire fund with the Federal Government responsible for payment of any Alaskan native claims that may be allowed. The committee did not have opportunity to consider the proposed amendment.

The reports of the agencies are as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 30, 1956.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
Washington 25, D. C.*

MY DEAR SENATOR MURRAY: Your committee has requested a report on S. 2517, a bill to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

We would have no objection to S. 2517. However, we recommend its amendment in accordance with the following comments.

The so-called Tongass Timber Sale Act of August 8, 1947 (61 Stat. 920), provided in section 3 (a) thereof that all receipts from the sale of timber or from the sale of lands under section 2 thereof shall be maintained in a special account in the Treasury until the rights to the land and timber in question are finally determined. The purpose of such provision was to establish a special account to safeguard possible payment of Indian or other native claims relating to the proper-

ties in the event that such claims should thereafter be determined to be valid. We understand that there is now more than \$2,200,000 in the account.

Enactment of S. 2517 would reinstate, for the Tongass National Forest, the usual procedure for remitting a portion of national-forest receipts to the States and Territories. We believe this is very desirable. Unless such legislation is enacted, the special account will grow rapidly as national-forest timber is now being harvested at an accelerated rate to meet the needs of the expanding timber-using industries of Alaska. Retention of the fund imposes a hardship on the Territory with respect to the financing of local road and school activities, as well as to the accomplishment of national-forest road and trail work. It prevents carrying out of established procedures governing national-forest receipts as follows: (1) the distribution of 25 percent of national-forest receipts for roads and schools by local governmental agencies; and (2) the expenditure of an additional 10 percent of such receipts by the United States Forest Service for Alaska national-forest road and trail work.

The recent decision of the Supreme Court, dated February 7, 1955, in the case of the *Tee-Hit-Ton Indians v. United States* (348 U. S. 272), has resolved any further need for the provision contained in section 3 (a) of the Tongass National Forest Act of August 8, 1947 (61 Stat. 921). It is clear, we believe, from the cited case that no compensable rights, based upon so-called Indian possessory or aboriginal interests exist in the land and timber in question, nor has the Congress granted permanent rights to the Indians therein, that would operate as a bar to the enactment of this proposed legislation. In these circumstances, the national-forest receipts should be accounted for and distributed in accordance with the general laws applicable to national-forest revenues.

We suggest that S. 2517 be amended primarily for purposes of clarification along the lines which we have discussed and generally in accordance with a similar provision contained in the Alaska statehood bill, S. 49. You will note that, in addition to providing for disposition of the fund that has been accumulating from Tongass National Forest receipts and the distribution of such receipts hereafter in accordance with the established law governing such receipts, our suggested amendment will permit the appropriation of such funds as may be necessary to pay any judgments, if any, that may result from any adverse native claims to timber or lands described in the Tongass National Forest Sales Act of August 8, 1947. We believe that such a provision is equitable in the event that any adverse native claims may be upheld in the future pursuant to the 1947 act. Furthermore, the existence of aboriginal claims in any States does not preclude distribution of forest receipts to that State and to the Treasury under general law. It would be discriminatory to continue to withhold Alaska's share of such receipts or to require Alaska to assume responsibility for any portion of any such claim sustained in the future. We recommend, accordingly, that S. 2517 be amended as follows:

Strike out the language of the bill following the word "hereby" in line 4, page 1, and insert in lieu thereof the following: "repealed. Amounts in the special account established under such section on the date of the approval of this Act shall not thereafter be subject to the provision of that subsection so repealed, but shall be disposed of

in accordance with the provisions of law with respect to disposition of receipts from national forests. Amounts hereafter received from the sale of timber or land under section 2 of such joint resolution of August 8, 1947, shall be deposited in the Treasury and shall also be disposed of in accordance with the provisions of law with respect to disposition of receipts from the national forest. In lieu of the special account heretofore established pursuant to section 3 (a) of the said joint resolution of August 8, 1947, there are hereby authorized to be appropriated such sums as may be necessary to pay such judgments, if any, as may result from adverse native claims to timber or lands described in the said joint resolution of August 8, 1947."

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee.

Sincerely yours,

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., March 23, 1956.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

DEAR SENATOR MURRAY: This is in reply to your letter of March 16 requesting a report on S. 2517, a bill to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

We strongly recommend enactment of S. 2517.

This bill would: (1) make available to Territory of Alaska 25 percent of receipts from the sale of timber from the Tongass National Forest hereafter received or heretofore received and now held in special deposit account; (2) make available 10 percent of such receipts to the Department for road and trail work in the national forests in Alaska; (3) retain 65 percent of receipts in the special deposit account until possessory rights of Alaska natives to land and timber are determined; (4) provide that the Territory pay to the United States 25 percent of moneys required to satisfy possessory claims up to a maximum of the total amount received by the Territory from the United States as its share of national forest receipts under the 25 Percent Receipts Act of March 23, 1908; and (5) provide that such payments by the Territory be effected to extent possible by deductions from payments due the Territory under the 25 Percent Receipts Act.

The Tongass Timber Act, approved August 8, 1947 (61 Stat. 920), provides among other things that all receipts from the sale of land and timber from the Tongass National Forest shall be placed in a special deposit account to safeguard possible payment of Indian or other native claims to the property values involved. The Supreme Court on February 7, 1955, in the case entitled *The Tee-Hit-Ton Indians v. The United States* (348 U. S. 272), ruled that no compensable aboriginal claims exist in Alaska. Funds in the special deposit account by February 29, 1956, had accumulated to nearly \$2¼ million,

and will grow rapidly as additional large timber sales are made in Alaska.

The withholding of national-forest receipts in this escrow fund prevents (1) the distribution of 25 percent of the accumulated and future national forest receipts for road and school expenditures by local governmental agencies, and (2) the expenditure of an additional 10 percent of these deposited funds by the Department on Alaska national-forest road and trail work. This situation imposes a financial hardship on the Territorial agencies financing local road and school activities and on the accomplishment of needed national forest road and trail work. S. 2517 would release these funds and at the same time provide adequately for payment to Alaska natives of any possessory rights later determined to be valid.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., April 6, 1956.

HON. JAMES E. MURRAY,
*Chairman, Committee on Interior and Insular Affairs,
United States Senate, Washington, D. C.*

MY DEAR MR. CHAIRMAN: Reference is made to your request for the views of this Bureau on S. 2517 to amend subsection 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

The general objective of this measure is to release certain receipts accruing from timber sales in the Tongass National Forest. Pursuant to the act of August 8, 1947, such receipts were held in an escrow account awaiting settlement of pending Indian claims. The decision of the United States Supreme court of February 7, 1955, resolved that issue.

Both the Departments of Agriculture and the Interior endorse the legislation. In a report which the Department of the Interior is presenting to your committee an amendment is suggested which, for the reasons stated in the report, appears to be preferable to the language contained in the bill.

This Bureau recommends enactment of the bill if amended along the lines suggested by the Department of the Interior.

Sincerely yours,

ROBERT E. MERRIAM,
Assistant to the Director.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

SECTION 3 (A) OF THE ACT OF AUGUST 8, 1947 (61 STAT. 902, 921)

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined[.]: *Provided, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended, and the Act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid, the Territory of Alaska shall pay to the United States 25 per centum of the moneys required to satisfy such claims: Provided, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the Act of March 23, 1908: Provided further, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such Act.*



Union Calendar No. 1014

84TH CONGRESS
2D SESSION

S. 2517

[Report No. 2568]

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 1956

Referred to the Committee on Agriculture

JULY 2, 1956

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To amend subsection 3 (a) of the Act approved August 8, 1947,
to authorize the sale of timber within the Tongass National
Forest, Alaska.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That subsection (a) of section 3 of the Act approved Au-
4 gust 8, 1947 (61 Stat. 920), is hereby amended by striking
5 out the period at the end of said subsection and inserting
6 in lieu thereof a colon and the following: "*Provided, That*
7 all receipts heretofore and hereafter received from the sale
8 of such timber shall be subject to the provisions of the Act
9 of May 23, 1908 (35 Stat. 260), as amended, and the Act
10 of March 4, 1913 (37 Stat. 843), as amended. If any

1 claims of possessory rights to lands or timber within the
2 exterior boundaries of the Tongass National Forest are deter-
3 mined to be valid, the Territory of Alaska shall pay to the
4 United States 25 per centum of the moneys required to
5 satisfy such claims: *Provided*, That the Territory shall not
6 be required to pay to the United States any amount in excess
7 of the total amount received by the Territory from the United
8 States pursuant to the Act of March 23, 1908: *Provided fur-*
9 *ther*, That such payments by the Territory to the United
10 States shall, to the extent possible, be effected by deductions
11 from the amounts otherwise payable to the Territory pursuant
12 to such Act.”.

Passed the Senate April 19 (legislative day, April 9),
1956.

Attest:

FELTON M. JOHNSTON,

Secretary.

Union Calendar No. 1014

84TH CONGRESS
2^D Session

S. 2517

[Report No. 2568]

AN ACT

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

APRIL 23, 1956

Referred to the Committee on Agriculture

JULY 2, 1956

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 17, 1956
For actions of July 16, 1956
84th-2nd, No. 120

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HIGHLIGHTS: House passed bills to: Permit USDA-State-local employee exchanges; authorize acquisition of additional lands in Cache National Forest; approve Middle Atlantic interstate forest fire compact; release certain Tongass Forest receipts from escrow; continue ACP authority; authorize transfer of certain ARS lands in Alaska; extend time for report on Government security program. House received conference report on bill to simplify accounting procedures and facilitate payment of obligations; House committee reported bill to improve budgeting and accounting methods. House agreed to Senate amendments to bill to merge intermediate credit banks and production credit associations. House received President's veto message on military construction measure; House committee reported bill to include cranberries for canning and freezing in Marketing Agreements Act. House committee reported bill to require conformance with State game laws on certain Federal lands. House committee reported USDA point-of-order bill. Sen. Ellender introduced bill to imple- (continued on page 7)

HOUSE

1. APPROPRIATIONS. The Agriculture Committee reported with amendment H. R. 11682, to facilitate the control and eradication of certain animal diseases, to facilitate the carrying out of agricultural and related programs, to facilitate the agricultural attache program, and to facilitate the operations of FHA, FCIC, and FS (H. Rept. 2732). p. 11795
2. PERSONNEL. Passed as reported S. 1915, to permit the exchange of employees of this Department and employees of State political subdivisions or educational institutions for a period not to exceed 2 years in duration. p. 11720
3. FORESTRY. Passed as reported H. R. 8898, to authorize the purchase of additional lands within the Cache National Forest, Utah. p. 11721

Passed without amendment S. 3032, to approve the Middle Atlantic Interstate Forest Fire Compact. This bill is now ready for the President. p. 11726

Passed without amendment S. 2517, to provide for the release of certain Tongass National Forest timber receipts from escrow. This bill is now ready for the President. p. 11731

4. SOIL CONSERVATION. Passed without amendment S. 3120, to further extend the period of Federal administration of the ACP program from Jan. 1, 1957 to Jan. 1, 1959. This bill is ready for the President. A similar bill, H. R. 8321, was laid on the table. p. 11731
5. LAND TRANSFER. Passed without amendment S. 3344, to authorize the transfer of the Baranof Castle site (former research land) to the city of Sitka, Alaska. This bill is now ready for the President. A similar bill, H. R. 9678, was laid on the table. p. 11731
6. GOVERNMENT SECURITY. Passed without amendment S. J. Res. 182, to extend (until June 30, 1957) the time limit for the filing of a final report of the Commission on Government Security. This measure is now ready for the President. A similar measure, H. J. Res. 655, was laid on the table. p. 11733
7. ACCOUNTING. Received the conference report on H. R. 9593, to simplify accounting methods and facilitate the payment of obligations (H. Rept. 2726). p. 11786
The Government Operations Committee reported with amendment H. R. 11526, to improve governmental budgeting and accounting methods and procedures (H. Rept. 2734). p. 11795
8. FARM CREDIT. Agreed to the Senate amendments to H. R. 10285, to merge production credit corporations in Federal intermediate credit banks, to provide for retirement of Government capital in Federal intermediate credit banks, and to provide for supervision of production credit associations. This bill is now ready for the President. p. 11787
9. MARKETING. The Agriculture Committee reported without amendment H. R. 8384, to extend the provisions of the Agricultural Marketing Agreement Act of 1937, to cranberries for canning or freezing processing (H. Rept. 2721). p. 11795
10. WILDLIFE. The Merchant Marine and Fisheries Committee reported with amendment H. R. 8250, to require conformance with State and Territorial fish and game laws and licensing requirements on Federal lands not subject to such laws (H. Rept. 2728). p. 11795
11. MILITARY CONSTRUCTION; SURPLUS COMMODITIES. Received the President's veto message on H. R. 9893, to authorize certain construction at military installations. The bill authorizes the Secretary of Defense to use for family housing in foreign countries, foreign currencies not to exceed \$250 million acquired pursuant to the provisions of the Agricultural Trade Development and Assistance Act of 1954, or through other commodity transactions of the CCC (H. Doc. 450). p. 11788
12. RECORDS. Passed over, at the request of Rep. Cunningham, S. 2364, to further clarify GSA's jurisdiction over records management. p. 11716
13. TRADE FAIRS. Passed as reported H. J. Res. 604, to authorize the President to invite the various States and foreign countries to participate in the U. S.

merce. There shall be credited to such fund all receipts on account of operations after July 1, 1956, under charters of Government-owned ships under the jurisdiction of the Secretary of Commerce.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF REVENUES FROM TONGASS NATIONAL FOREST, ALASKA

The Clerk called the bill (S. 2517) to amend subsections 3 (a) of the act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of section 3 of the act approved August 8, 1947 (61 Stat. 920), is hereby amended by striking out the period at the end of said subsection and inserting in lieu thereof a colon and the following: "Provided, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the act of May 23, 1908 (35 Stat. 260), as amended, and the act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid the Territory of Alaska shall pay to the United States 25 percent of the moneys required to satisfy such claims: *Provided*, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the act of March 23, 1908: *Provided further*, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTEND ACP AUTHORITY

The Clerk called the bill (H. R. 8321) to amend the Soil Conservation and Domestic Allotment Act, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3120) to amend the Soil Conservation and Domestic Allotment Act, as amended, may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 8 of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), is amended by striking out of subsection (a) "January 1, 1957" and "December 31, 1956," wherever they appear therein, and inserting

in lieu thereof "January 1, 1959" and "December 31, 1958," respectively.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 8321) were laid on the table.

BARANOF CASTLE SITE

The Clerk called the bill (H. R. 9678) to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3344) to authorize the Secretary of Agriculture to convey to the Territory of Alaska certain lands in the city of Sitka, known as Baranof Castle site, may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed to convey, without reimbursement therefor, to the Territory of Alaska, for use as a historic monument site, all the right, title, and interest of the United States to the following described lands, containing 1,349 acres, more or less, and improvement thereon, known as the Baranof Castle site: The tract of land formerly occupied by the Alaska Agricultural Experiment Station, more particularly shown on the plat of Sitka townsite, Alaska, United States survey No. 1474, tract A, approved April 2, 1925, as the United States Reserve for Agricultural Investigations and Weather Service: *Provided*, That if the Territory of Alaska shall attempt to transfer title to or control over these lands, or to devote them to a use other than as a historic monument site title thereto shall revert to the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill (H. R. 9678) were laid on the table.

AUTHORIZING CREDITING OF CERTAIN SERVICE

The Clerk called the bill (H. R. 2035) to provide for the crediting of certain service toward retirement of Reserve personnel.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That section 6 of the act of February 21, 1946 (60 Stat. 27), is amended by changing the period at the end thereof to a colon and adding the following proviso: "Provided, That in the case of officers of the Nurse Corps Reserve, a branch of the Naval Reserve, such years of active service and active commissioned service shall be based on that service specified in section 207 (h) of the Army-Navy Nurses Act of 1947 (61 Stat. 50), as amended."

SEC. 2. The Army and Air Force Vitalization and Retirement Equalization Act of 1948 (62 Stat. 1081), as amended, is further amended by—

(a) amending that part of subsection (a) of section 302 which appears before the first proviso to the subsection to read as follows: "Any person who, upon attaining or having attained the age of 60 years, has performed satisfactory Federal service as defined in this section including (1) service in the status of a commissioned officer, warrant officer, flight officer, appointed aviation cadet, nurse, or enlisted person in the Army of the United States or the United States Air Force including the respective reserve components thereof, and also including the federally recognized National Guard prior to 1933, the United States Navy, the United States Marine Corps, or the United States Coast Guard, including the reserve components thereof, and (2) all service creditable under section 110 or section 207 (h) of the Army-Navy Nurses Act of 1947 (61 Stat. 46, 50) as amended, and has completed an aggregate of 20 or more years of such satisfactory service in any or all of the aforesaid services, shall, upon application therefor, be granted retired pay";

(b) amending section 306 (c) by deleting the word "and" where it appears at the end of part (15); changing the period at the end of part (16) to a semicolon and adding thereafter the word "and"; and adding the following new part:

"(17) the Navy Nurse Corps established by the act of May 13, 1908 (35 Stat. 146), in respect of service as a Reserve nurse after June 30, 1938;"

(c) inserting in section 306 (e) after the words "Air Force Reserve" the words "or as inactive Reserve nurse of the Army Nurse Corps established by the act of February 2, 1901 (31 Stat. 753), as amended"; and

(d) inserting in section 306 (f) after the words "Marine Corps Reserves" the words "or inactive service in a Reserve nurse status in the Navy Nurse Corps established by the act of May 13, 1908 (35 Stat. 146), before July 1, 1938."

With the following committee amendment:

Add a new section 3 as follows:

"SEC. 3. All the appointments made on or after December 7, 1941, in the Army of the United States without component under the joint resolution of September 22, 1941 (55 Stat. 728) which were not earlier terminated by affirmative administrative action or other provisions of law may be considered for all purposes to have continued in effect until April 1, 1953."

The committee amendment was agreed to.

Mr. BROOKS of Louisiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Brooks of Louisiana: Page 2, line 9, following the words "flight officer" insert the following: "army field clerk, field clerk, Quartermaster Corps."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the crediting of certain service for purposes of pay and retirement."

A motion to reconsider was laid on the table.

RECONVEYING MINERAL INTERESTS IN LAND TO FORMER OWNERS

The Clerk called the bill (H. R. 11879) to provide for the reconveyance of all mineral interests in lands acquired by

the United States for certain reservoir projects to former owners thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1384) to provide for the reconveyance of all mineral interests in lands acquired by the United States for certain reservoir projects to former owners thereof, and for other purposes, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed, when he determines that the exploration for or exploitation of any mineral interests underlying lands within and for the purpose of reservoir projects of the Yazoo Basin headwater project in the State of Mississippi will not be incompatible with the development, maintenance, and operation of the reservoir projects and that the reconveyance of any such aforementioned interests to the former owners thereof will be in the public interest, to convey such interests to the former owners thereof, or in the case of any such owner who is deceased, to his legal heirs, if any, upon (1) application made within 3 years from the date of enactment of this act, and (2) payment to the United States of an amount equal to but not in excess of the purchase price for which said interests were acquired by the United States.

Sec. 2. Each conveyance of mineral interests under this act shall contain such reservations, restrictions, terms and conditions as the Secretary determines are necessary for the development, maintenance, and operation of the reservoir projects.

The bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider and a similar House bill (H. R. 11879) were laid on the table.

EXCEPT CERTAIN COURSES FROM 2-YEAR PROVISION

The Clerk called the bill (H. R. 4127) to exempt courses leading to standard college degrees offered by nonprofit educational institutions of higher learning from the provisions of section 227 of the Veterans' Readjustment Assistance Act of 1952 prohibiting the enrollment of eligible veterans under that act when such courses have been in operation for less than 2 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 227 (b) of the Veterans' Readjustment Assistance Act of 1952 (38 U. S. C. 932) is hereby amended by deleting the word "or" following the semicolon at the end of clause (2), changing the period at the end clause (3) to "; or", and adding a new clause (4) to read as follows:

"(4) any course which is offered by a nonprofit educational institution of college level and which is recognized for credit toward a standard college degree."

The bill was ordered to be engrossed and read a third time, was read the third

time and passed, and a motion to reconsider was laid on the table.

USE OF CERTAIN LANDS FOR CEMETERY PURPOSES

The Clerk called the bill (H. R. 10238) to authorize and direct the Administrator of Veterans' Affairs to accept certain land in Buncombe County, N. C., for cemetery purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, in view of the fact that to pass this bill by unanimous consent would set a precedent that might affect all of the veterans' hospitals in the United States, and in view of the further facts that the cost is uncertain, that the Veterans' Administration objects and does not report favorably, and that the Bureau of the Budget objects, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

BANNING PENSION PAYMENTS TO CERTAIN PRISONERS

The Clerk called the bill (H. R. 10477) to prohibit the payment of pensions to persons confined in penal institutions for periods longer than 61 days.

The SPEAKER. Is there objection to the present consideration of the bill?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

(Mr. TEAGUE of Texas asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. TEAGUE of Texas. Mr. Speaker, this bill bars the payment of non-service-connected pension under any public or private law administered by the Veterans' Administration to an individual who has been imprisoned in a Federal, State, or local penal institution, as a result of conviction for a felony or misdemeanor, beginning 60 days after his imprisonment and ending when the imprisonment ends.

In other words, a person serving 60 days would not be covered by this proposal but one serving longer than that period would not be eligible to receive a pension. It would not prevent the individual involved from applying for and receiving a reinstatement of his pension upon completion of his term if he meets the other requirements.

Pension is a gratuity, legally, and payable solely to otherwise eligible veterans who served during a period of war and is not based in any way on a service-connected disability.

Recently, at my direction, a study was made of the number of veterans in prison in 10 States, as well as those incarcerated in Federal penal institutions. The number was sizable and among the crimes in-

volved were theft, narcotic sales, forgery, bank robbery, murder, rape, adultery, kidnaping, and so forth.

The bill provides that the Administrator may apportion and pay to the wife and/or children of the veteran the pension for which he would be eligible if he were not incarcerated in a penal institution.

While admittedly there will be some additional administrative burden placed on the Veterans' Administration as a result of the enactment of this legislation, it does appear that there will be a savings as a result of this bill.

It is my opinion that sound public policy requires that no pension for a non-service-connected disability be paid to a person who is serving a sentence for a felony or misdemeanor. It should be considered that a person in this category is receiving care for all of his creature comforts and in view of the non-service-connected feature of his pension, there is no valid reason why such a person should continue to draw a benefit from the Federal Government when he has been convicted of a serious offense and is serving a term in prison for this offense.

It should be noted that the Veterans' Administration concurs in the enactment of this legislation.

(Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks at this point in the RECORD.)

[Mrs. ROGERS of Massachusetts' remarks will appear hereafter in the Appendix.]

PERIODIC SURVEY OF NATIONAL SHIPBUILDING CAPABILITY

The Clerk called the bill (H. R. 10560) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BONNER. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 3705) to require periodic survey by the Chairman of the Federal Maritime Board of national shipbuilding capability, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 502 (f) of the Merchant Marine Act, 1936, as amended, is hereby amended by striking out the first sentence thereof and inserting in lieu thereof the following two new sentences: "The Secretary of Commerce, with the advice of and in coordination with the Secretary of the Navy, shall periodically, as required for purposes of this act, survey the existing privately owned shipyards capable of merchant ship construction, or review available data on such shipyards if deemed adequate, to determine whether their capabilities for merchant ship construction, including facilities and skilled personnel, provide an adequate mobilization base at strategic points for purposes of national defense and national emergency. The Secretary of Commerce, in

Public Law 758 - 84th Congress
Chapter 670 - 2d Session
S. 2517

AN ACT

All 70 Stat. 605.

To amend subsection 3 (a) of the Act approved August 8, 1947, to authorize the sale of timber within the Tongass National Forest, Alaska.

Tongass National
Forest, Alaska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 3 of the Act approved August 8, 1947 (61 Stat. 92)), is hereby amended by striking out the period at the end of said subsection and inserting in lieu thereof a colon and the following: "*Provided*, That all receipts heretofore and hereafter received from the sale of such timber shall be subject to the provisions of the Act of May 23, 1908 (35 Stat. 260), as amended, and the Act of March 4, 1913 (37 Stat. 843), as amended. If any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest are determined to be valid, the Territory of Alaska shall pay to the United States 25 per centum of the moneys required to satisfy such claims: *Provided*, That the Territory shall not be required to pay to the United States any amount in excess of the total amount received by the Territory from the United States pursuant to the Act of March 23, 1908: *Provided further*, That such payments by the Territory to the United States shall, to the extent possible, be effected by deductions from the amounts otherwise payable to the Territory pursuant to such Act."

Approved July 24, 1956.

